

The Canadian Historical Review

NEW SERIES

OF

THE REVIEW OF HISTORICAL PUBLICATIONS
RELATING TO CANADA

(FOUNDED 1896)

BOARD OF EDITORS

A. H. U. COLQUHOUN

W. L. GRANT

W. P. M. KENNEDY

H. H. LANGTON

D. A. MCARTHUR

R. M. MACIVER

W. S. WALLACE

GEORGE M. WRONG

MANAGING EDITOR

W. S. WALLACE

VOLUME VII

1926

Published Quarterly
At the University of Toronto Press

24

General
note

TABLE OF CONTENTS

Vol. 7

No. 1. MARCH, 1926

NOTES AND COMMENTS	- - - - -	1
ARTICLES		
<i>The Opening of the St. Lawrence to American Shipping</i>		
By George W. Brown	- - - - -	4
<i>The Canadian-American Frontier during the Rebellion of 1837-1838</i>		
By Wilson Porter Shortridge	- - - - -	13
<i>Notes on the Treaty-making Power</i>		
By Norman McL. Rogers	- - - - -	27
<i>The Canadian Civil Service, 1867-1880</i>		
By R. MacGregor Dawson	- - - - -	34
NOTES AND DOCUMENTS		
<i>Kirke's Memorial on Newfoundland</i>		
Edited by Louis Dow Scisco	- - - - -	46
REVIEWS OF BOOKS	- - - - -	52
RECENT PUBLICATIONS RELATING TO CANADA	- - - - -	81

No. 2. JUNE, 1926

NOTES AND COMMENTS	- - - - -	89
ARTICLES		
<i>The Canadian Historical Association</i>		
By Charles N. Cochrane	- - - - -	92
<i>Canada and Constitutional Development in New South Wales</i>		
By William Smith	- - - - -	95
<i>The First Responsible Party Government in British North America</i>		
By W. Ross Livingston	- - - - -	115
NOTES AND DOCUMENTS		
<i>Letter of Louis Riel and Ambroise Lépine to Lieutenant-Governor Morris, January 3, 1873</i>		
Edited by A. H. de Trémaudan	- - - - -	137
REVIEWS OF BOOKS	- - - - -	161
RECENT PUBLICATIONS RELATING TO CANADA	- - - - -	190

No. 3. SEPTEMBER, 1926

NOTES AND COMMENTS	-	-	-	-	-	-	195
• <i>Some Vices of Clío</i>							
By W. S. Wallace	-	-	-	-	-	-	197
"Taxation without Representation": <i>An Echo of July 4, 1776</i>							
By the Hon. Mr. Justice Riddell	-	-	-	-	-	-	204
• <i>The Personnel of the Family Compact, 1791-1841</i>							
By Alison Ewart and Julia Jarvis	-	-	-	-	-	-	209
NOTES AND DOCUMENTS							
<i>The Last Letter of Captain Cook</i>							
Edited by John Forsyth	-	-	-	-	-	-	222
<i>Who was the "Com[man]d[ant] de la Troupe dans Chaque Cote"?</i>							
By A. L. Burt	-	-	-	-	-	-	226
<i>Did Louis XIV Suggest the Seizure of New Holland?</i>							
By Percy J. Robinson	-	-	-	-	-	-	230
REVIEWS OF BOOKS	-	-	-	-	-	-	233
RECENT PUBLICATIONS RELATING TO CANADA	-	-	-	-	-	-	265

No. 4. DECEMBER, 1926

NOTES AND COMMENTS	-	-	-	-	-	-	273
ARTICLES							
<i>The Confederate Council of Trade</i>							
By Norman McL. Rogers	-	-	-	-	-	-	277
<i>The Career of Joseph Willcocks</i>							
By A. H. U. Colquhoun	-	-	-	-	-	-	287
<i>The First Bank in Western Canada</i>							
By R. L. Reid	-	-	-	-	-	-	294
NOTES AND DOCUMENTS							
<i>Rupert's Land in 1825</i>							
By H. A. Innis	-	-	-	-	-	-	302
CORRESPONDENCE	-	-	-	-	-	-	321
REVIEWS OF BOOKS	-	-	-	-	-	-	325
RECENT PUBLICATIONS RELATING TO CANADA	-	-	-	-	-	-	363
INDEX	-	-	-	-	-	-	377

The Canadian Historical Review

VOL. VII.

TORONTO, MARCH, 1926

No. 1

NOTES AND COMMENTS

THE time has come when attention must be drawn to the lack of means for the publication of the results of historical research in Canada. The CANADIAN HISTORICAL REVIEW and the *Bulletin des Recherches Historiques*, as well as the publications of various historical societies, offer means for the printing of short papers; but students who have undertaken research of a more extended character almost invariably, under present conditions, find it difficult to secure publication of their work. Studies which embody detailed historical research are not, as a rule, a commercial commodity, and commercial publishers are naturally unwilling to assume the risk of publishing them. None of the Canadian universities have any considerable funds for the publication of the results of historical research, and even a learned society like the Champlain Society devotes its energies to the republication of rare and inaccessible materials rather than to the publication of original investigations. The result is that graduate students in Canadian universities, and indeed students of Canadian history generally, have found that after devoting some years to a piece of extended research they are often unable to get their manuscripts printed, and they are thus discouraged from following up their initial inquiries.

The opinion is sometimes expressed that books which have no commercial possibilities are not worth printing. While it may be admitted that there are in print many Ph.D. theses which ought never to have seen the light of day, it remains true that there is a

great deal of work still to be done before we will begin to approximate to a correct version of Canadian history, and much of this work must necessarily be unattractive from the point of view of the commercial publisher. The more one delves beneath the surface, the deeper one goes, for example, into the treasures contained in that wonderful storehouse of historical materials, the Public Archives of Canada, the more one finds that the current version of Canadian history is, in many cases, hopelessly astray. Villains have been apotheosized, and heroes have been defamed. In some cases, totally different persons have been confused the one with the other. About many fairly important persons comparatively little is known (or is, at any rate, public property), and much of this is incorrect. There have been many notable figures in Canadian history of whom one cannot find in print even the dates of birth and death; and it is an extraordinary fact that there is nowhere to be found, readily available in anything like accurate shape, information about the executive and legislative councillors of Upper Canada. We have talked glibly about the "Family Compact", but we have known very little about the personnel of that ill-named body. In the same way, much has been written about the North West Company, but the personalities and even the dates of many of the most important "fur-barons" of Montreal lie wrapped in a fog of mystery. These are merely chance illustrations of the need for more detailed research in Canadian history, and if this research is worth doing it is also worth publishing.

What means may be found for attempting to remedy the present situation is a matter on which those interested in Canadian history might well ponder. Several possibilities suggest themselves. In the first place, the governing bodies of the universities of Canada might be induced to set aside more money for the publication of the results of historical research. If the author of a dissertation is worthy of receiving a Ph.D. degree, his dissertation ought to be worthy of publication. In the second place, it would seem desirable that both the Dominion and provincial governments should be approached with a view to finding out whether it might not be possible for them to subsidize the publication of historical work both in the national and the provincial field. If the Dominion government, for example, could undertake to provide scholarships or studentships in connection with the Public Archives at Ottawa, and to render possible the publication

of their work through the Board of Historical Publications, historical studies in Canada would receive a great encouragement; and one is fain to believe that there would develop in consequence among the Canadian people a greater interest in, and knowledge of, the history of their country.

It was announced in the last number of the REVIEW that an arrangement had been made between the Council of the Association and the Board of Editors of the REVIEW whereby all members of the Association who have paid their fees will be entitled to receive the REVIEW free of charge, and it was promised that the date on which the arrangement would go into effect would be announced later. We are glad to say that the details of the arrangement have now been worked out, and that henceforth all members of the Canadian Historical Association in good standing will, as such, be added to the mailing list of the REVIEW. It is hoped that the new arrangement will inure to the benefit of all concerned.

The first article in this number of the REVIEW, which deals with the history of the St. Lawrence waterway, and is of interest in view of the proposed widening of this waterway, is by Mr. G. W. Brown, of the Department of Modern History in the University of Toronto. The paper on the *Civil services in Canada from 1867 to 1880* is by Professor R. MacGregor Dawson, the author of *The principal of official independence, with particular reference to the political history of Canada* (London, 1922); that on *The Canadian-American frontier during the rebellion of 1837-1838* is by Professor Wilson Porter Shortridge, of the University of West Virginia; and the *Notes on the treaty-making power*, dealing with the reciprocity treaty of 1854 and the fisheries convention of 1857, are by Professor Norman McLeod Rogers of Acadia University, Nova Scotia. Under the heading "Notes and documents" Mr. Louis Dow Scisco, of Washington, D.C., contributes a new document relating to the history of Newfoundland in the seventeenth century, which has come to light among the Calvert papers in the possession of the Maryland Historical Society.

THE OPENING OF THE ST. LAWRENCE TO AMERICAN SHIPPING¹

PROBABLY no inland water route in the world has shown itself so adaptable to rapid changes in conditions of commerce and transportation as the St. Lawrence. Other waterways, even the great Mississippi, have had their periods of prosperity and decline, but, from the days of the French *voyageur*, the usefulness of the St. Lawrence, with its two thousand miles of navigable lakes and rivers, has increased with scarcely a break. Judged by the amount and value of traffic handled, it is today probably the first among the great inland waterways of the world. In its development as a commercial highway during the past one hundred and fifty years, geographical and political factors have been intimately intermingled. Undoubtedly the most striking characteristic of the waterway is that it offers the possibility of an unbroken passage for ocean freighters from the Atlantic to the centre of the continent, a prospect which has appealed to the imagination of many able men for nearly a century. The falls at Niagara, and the rapids between Lake Ontario and Montreal, present very serious obstacles, although even these interruptions to navigation are, in the present electrical age, by no means an unmixed detriment. Much more serious is the suspension of commerce during the winter months of each year. As an interesting alternative in the face of these difficulties, nature has provided, as a possible outlet for the trade of the upper lakes, the Hudson-Mohawk route, which avoids the falls at Niagara and in the St. Lawrence, and gives access to the ice-free port of New York. Across this set of geographical circumstances have been flung the tariffs and other complications of the international boundary, which places the Hudson-Mohawk outlet under one flag and most of the St. Lawrence River under another.

It is little wonder then that since 1783 the use of the waterway has been a subject of frequently recurring mutual interest to Canada and the United States. The record of their relations in

¹A paper read at the meeting of the American Historical Association, at Ann Arbor, Michigan, on December 30, 1925.

this respect is one of which the two nations have good reason to be proud. To the Great Lakes was first applied the principle of disarmament, which later became the accepted policy for the whole boundary line, and which has for many years provided a unique example of international confidence and goodwill. During the present century problems in connection with the waterway resulted in establishing, first the International Waterways Commission, and later the International Joint Commission, to which by mutual consent any cause of friction may be referred for investigation and recommendation looking toward a peaceful settlement.

The opening of the St. Lawrence River to American shipping is only one of the many aspects which discussions regarding the waterway have at various times assumed. [The right of American vessels freely to navigate that part of the river which flows entirely within British territory was included first in the Reciprocity Treaty of 1854. For a number of years before 1854 American vessels could, under certain restrictions of the British Navigation Laws, sail from the ocean as far as Quebec. They were also usually allowed to descend the river to Montreal and sometimes even to Quebec, but prohibition of their right to complete an unbroken voyage between the lakes and the sea was jealously guarded by British shipping interests, supported for many years, it is true, by a considerable body of public opinion in Canada.] It is the purpose of this paper to discuss briefly the two occasions during the first half of the nineteenth century in which the question of free navigation for American vessels was a subject of serious negotiation.

Until the repeal of the Corn Laws, the commerce of the British colonies was subjected to rather strict mercantilistic regulations, modified at times by legislation or temporary dispensations. During the early years of the nineteenth century, however, the trade of the St. Lawrence was encouraged rather than hampered by the policy of mercantilism, since under a scheme of colonial preferences Canadian staple exports, such as timber, were given a decided advantage over foreign products in the markets of England and the British West Indies. In addition to this, the exports of the river were increased by an interesting set of trade regulations embodied in British and provincial statutes, which were intended to attract as much as possible of the commerce of the American settlements along the northern boundary.¹ These Acts provided

¹See *British Statutes at Large*, 30 Geo. III, c. 29.

that products of the states bordering on Quebec might, after passing through that province, be exported as if they were of Canadian origin, and so receive the advantage of the colonial preference. This policy, begun about 1790 and continued with little interruption for over forty years, was designed not only to assist Canadian merchants and British shipping, which had almost a monopoly of St. Lawrence trade, but also to meet the needs of the British West Indies, whose long-established intercourse with the Atlantic coast was after 1783 largely prohibited. The American settlements along the border prized very highly their special privilege, and in some cases it may even have affected their attitude toward the War of 1812, although a trustworthy estimate on this point is probably impossible. A resident of western New York wrote to a friend in 1811 that he "would regret much (between ourselves) that Quebec should not remain in possession of the English. They charge us no Duties upon Exports down the River, and our produce being shipped from Canada as the products of a British Colony, we obtain the Bounty or Discriminating Duties. On the article of Pot and Pearl Ashes—the difference is equal to \$20 per ton—which renders these articles worth \$10 more in Montreal than New York—and on Lumber the difference is much greater."¹

There is something almost anomalous in the fact that Huskisson's legislation was largely responsible for restricting this freedom of intercourse across the boundary line. His well-known Acts of 1822, which were designed to free colonial trade from some of the shackles of mercantilism, applied the same duties along the boundary as were levied on imports into the colonies by sea. The new duties, especially on lumber, were high, and at the same time parliament greatly extended the privilege of direct trade between the United States and the British West Indies.² The policy which benefited the West Indies struck a very heavy blow at the commerce of the St. Lawrence, and created lively apprehension on both sides of the boundary. The *Quebec Gazette* declared that it seemed "incredible that the finest navigable river in the world should be rendered useless as an outlet to the sea by works of art and artificial regulations", and many Canadians agreed in the prediction that the new policy would provide a direct stimulus to the completion and use of American canals.

¹Quoted in J. W. Pratt, *Expansionists of 1812* (New York, 1925).

²The export trade in timber was first interrupted by the British Act of 1821, 1 & 2 Geo. IV, c. 37.

In the United States vigorous protests and even requests for retaliation were forwarded to Congress, which, after due deliberation, declared that, although the British parliament had acted within its rights, the new restrictions were severe and contrary to the spirit of the regulations hitherto controlling the St. Lawrence export trade.¹ The President was requested to take the matter up with the British government, and in June, 1823, Rush, the American ambassador in London, was instructed to include the question of free navigation of the St. Lawrence with other subjects then under consideration. The result was a negotiation extending over some four years, conducted in London first by Rush, and after 1826 by Gallatin. From the beginning the American government, adopting the arguments of Jefferson regarding the Mississippi, demanded from Great Britain a recognition of the "natural" and permanent right of all those living beside a river to navigate its waters freely to the sea. Police regulation, and the imposition of necessary tolls, were proper attributes of British sovereignty over the lower stretches of the river; but the right of navigation, it was argued, was a right of nature, pre-existent in point of time to the claim of sovereignty, and "unsusceptible of annihilation". This was an extreme application of the principle of natural right which could appeal with full force only to Americans steeped in the phraseology of the Revolution, and although it was copiously supported by references to Vattel, Grotius, Puffendorf, and other authorities on international law, it was scarcely calculated to win the immediate consent of a British Tory ministry. The British, with equally good references to international law, replied that the American argument was novel and extraordinary, and that any claim which involved a limitation of British authority in Canadian territory must be met with an immediate, positive, and unqualified resistance. Great Britain was, however, it was stated, willing to discuss the opening of the river as a concession which might be offered to the United States in return for a *quid pro quo*.²

Just what equivalent the British government had in mind is uncertain, although it urged with great persistence that the question of St. Lawrence navigation should be associated with the disputed points in connection with the boundary, which were being discussed under the fifth article of the Treaty of Ghent.

¹Reports of Committees, 17th Congress, 2d Session II, no. 96.

²American State Papers, Foreign Relations, VI, 758-777; Albert Gallatin, *Writings*, Henry Adams, ed. (Philadelphia, 1879), II, 313, 368, 403; Richard Rush, *A Residence at the Court of London* (London, 1833-45), III, 89ff.

The British commissioners informed Rush that they would offer definite and interesting proposals if he were empowered to consider them, but he could only reply that his instructions allowed him no such latitude, although he confessed to his own government a very great curiosity regarding the British intentions. Throughout the negotiations the American government insisted that, as the claim to navigate the St. Lawrence rested on a basis of natural right, it could not be considered in connection with any other subject. Gallatin, as Rush's successor, regretted this inflexibility. By 1826 and 1827 he saw evidence of a disposition in Great Britain to make the navigation of the St. Lawrence free, provided it were not asked as a matter of right. This he attributed, in part to a desire of obtaining supplies for the West Indies, in part to a better appreciation of the great importance of American inland commerce to British shipping and Canada's prosperity, and he made a notable prediction that the freedom of the St. Lawrence would be "ultimately allowed by Great Britain not as a matter of right, but because it is clearly their interest to afford every facility to draw our produce to Quebec". Undoubtedly the unbending attitude of the United States was one important means of postponing for many years the very result desired. At least one factor in the situation is, however, indicated in a letter from President Adams to Gallatin in March, 1827. After describing the British attitude as uncompromising, he went on to say, "One inch of ground yielded on the North West Coast, one step backward from the claim of the navigation of the St. Lawrence, one hair's breadth of compromise on the article of impressment would be certain to meet the reprobation of the Senate. In this temper of the parties all we can hope to accomplish will be to adjourn controversies which we cannot adjust".

The late '20's saw a return to the policy of favouring St. Lawrence trade through British legislation. American intercourse with the West Indies was again restricted, and the tariff laws of 1827 and 1831 once more encouraged American timber and provisions to cross the border for exportation. So the prosperity of the river was again bound up with the preservation of the Old Colonial System. It was now plain, however, that against the opposition of American canals the British preferences were not sufficient to maintain the importance of the St. Lawrence as a route from the centre of the continent to the sea. The waterway must be improved by a unified system of canals, as even the trade of Upper Canada was being driven more and more into

American channels. Divided political control made impossible a well-considered policy before 1840, but after the union in that year of the two provinces of Upper and Lower Canada, plans were speedily adopted for the completion of canals which would provide a nine-foot channel from the Upper Lakes to the sea, and enable ocean freighters to proceed to the lake ports. Such an advantage added to the British preferences would, it was confidently predicted, irresistibly draw the trade of the west to the St. Lawrence route. The cost of the scheme was admittedly heavy for the small Canadian population, but it was estimated that, as the result of works under construction, 2,500 miles of waterways would converge on Lake Erie, and that tolls from the new canals would soon repay the total expenditure and provide a handsome revenue. American lake ports, such as Cleveland, were greatly interested, and their newspapers commented enthusiastically on the possibility of direct trade with Europe and the West Indies. There seemed no doubt of the success of the new route, and soon after 1840 the scheme was begun.

It was, unfortunately for Canada, destined to fall disastrously short of the expectations of its promoters, for before the canals were completed in 1849, the repeal of the Corn Laws had ensured the adoption of Free Trade in England and the collapse of the Old Colonial System. This commercial revolution, for it was scarcely less, meant the disappearance of colonial preferences, and shifted the very basis on which the trade of Canada and the St. Lawrence had hitherto been forced to rest. Peel's opponents in 1846 dwelt on these points. The new policy, they declared, would shatter the commercial foundations of the Empire and foster disloyalty. The trade of the St. Lawrence would be ruined, and Canada would be driven into the hands of the United States. "When we have carried out the free trade principles of the Government, of what use", Peel was asked, "will be our colonies? . . . You must allow them to have free trade also . . . and you must suffer them to burst asunder the ties which a union of interests would otherwise have tended to cement". "Not a particle of the United States' breadstuffs," it was predicted, "will transit through Canada by the costly inland communications which are now opening for that purpose".¹

It was with the gravest apprehension that Canadians faced the necessity of adjusting themselves to the new conditions brought

¹Hansard's *Parliamentary Debates*, LXXXVI, 370, 553, 848, etc.

about in 1846. During the next decade a federal union of all the British North American provinces, annexation to the United States, a reciprocity agreement with the American government, and other panaceas were advocated as cures for Canadian ills. The St. Lawrence presented by no means the least difficult part of the problem. With its canal system but half-finished, it was still weighed down by the restrictions and monopolies which only British preferences had made bearable. The Canadians, wrote Lord Elgin, the governor-general, to London, had done all that enterprise and money could do to enable the St. Lawrence to attract the trade of the west, but if the present policy of restriction were continued, disaster was inevitable.¹

The first step in removing the handicaps was accomplished in 1849 by the repeal of the Navigation Laws, which for almost two centuries had been a vital element in British commercial policy. Justice to Canada and its river route were frequently mentioned during the bitter struggle in parliament which marked the collapse of the hoary system. It was in vain that Disraeli turned his ridicule on the advocates of repeal. "Parliament," he said, "was urged to choose between progress and reaction, but progress where? Progress to Paradise or progress to the devil? People don't want to hear any longer of these undefined, windy phrases of progress."² The reply was that free trade had practically destroyed the export trade of the St. Lawrence, and that parliament was in honour bound to remove the burden of monopoly. The almost immediate result of the repeal was a reduction in freight rates from Montreal and Quebec, and it was predicted that while Free Trade in corn had taken away part of the commerce of the St. Lawrence, Free Trade in ships would bring it back again.

But the opening of the St. Lawrence to American shipping was quite as necessary as the repeal of the Navigation Laws. How could the trade of the American west be attracted if American ships were debarred from the use of the river? Self-interest, Gallatin had predicted, would ultimately force the British to free the river from restriction, and as far as Canada was concerned the time had now arrived to fulfil that prophecy. In 1846 the Montreal Board of Trade urged that the river be opened as the certain means of making it the channel for the bulk of Western commerce, and by 1848 Lord Elgin could advise the British

¹Canadian Archives, Series G. Vol. 461, p. 208.

²Hansard's *Parliamentary Debates*, CIV, 694, 698.

ministry that great unanimity on the question appeared to prevail in the colony. At this time, too, Elgin suggested that a reciprocity agreement with the United States might be obtained by offering the free navigation of the St. Lawrence. Such a proposal, he believed, would be welcomed by American supporters of reciprocity, as it would emphasize the reciprocal appearance of the arrangement. This highly interesting policy of using the privilege which Canada wished to extend for her own benefit, as a means of bargaining with her neighbour was to be a feature of the negotiation until its end, and although the Canadian attitude was quite well known, members of Congress who favoured reciprocity insisted that the commercial agreement was impossible unless free navigation went with it.

Congress had the question of reciprocity under consideration for six years. As the weary discussion dragged on Canadian opinion became impatient, and in 1852 the Canadian government urged that, pending the decision of Congress, the St. Lawrence should be thrown open as a temporary concession to American vessels.¹ The British government replied, however, that while the question was primarily one for Canadian consideration, two essential requirements must be observed in granting freedom of navigation; the rights of British sovereignty must be fully protected, and the privilege should be extended only in return for a substantial compensation.

What was to be the attitude of the United States toward the argument of "natural right" which had been urged so persistently in the '20's? The prevailing opinion was best reflected by a report in 1850 from the Committee on Foreign Relations of the House of Representatives.² After asserting that the claim of "natural right" had been strengthened by the increased needs of the Lake region, it proceeded to a detailed statement of the doctrine with all the emphasis characteristic of Adams and Clay a quarter century earlier. But in conclusion the report urged that, if Great Britain was still unmoved by these arguments, the privilege of navigation should be purchased by some just equivalent since the question was one of pressing importance. In the light of practical considerations, it was plain that the committee at any rate was not prepared to battle very desperately for a legal abstraction. Although opponents of the reciprocity agreement argued that the use of the St. Lawrence would now be of little or no value, the

¹Canadian Archives, Series G, vol. 462, Elgin to Grey, February 20, 1852.

²House Reports, 31st Congress, 1st Session, II, No. 295.

report urged that eight states were immediately connected with the navigation of the Lakes, that through the St. Lawrence three thousand miles of lake and river coast might be opened to ocean traffic, and that if ships could proceed in unbroken voyage from the lake ports to Liverpool, wheat from the Western States would be able to compete without difficulty in the English market against the grain exported from the Black Sea.

The last phases of the fight for the reciprocity agreement were marked by an almost total disappearance of the opposition which had so long prevented a decision. Southern members, afraid of the acquisition of "free territory", were now convinced that reciprocity, by allaying commercial discontent in Canada, would prevent, rather than encourage, annexation. The President lent all the influence of the administration to the support of the treaty, and Lord Elgin came to Washington, where he captivated friends and enemies alike by his social graces. The *North American Review* later said that there had been a most felicitous co-operation of adverse elements; Mason and Toombs, Douglas and Seward, Whigs and Democrats, Free Soilers and Secessionists, Northerners and Southerners acted in cordial harmony; sectionalism vanished for the time, and the measure was swept through with an "irresistible enthusiasm of which our history affords no parallel".¹

Article IV of the agreement extended to American vessels the right of navigating the St. Lawrence River from the Lakes to the sea on the same terms as British ships. It was stipulated that the British government retained the right of suspending the privilege on giving "due notice", in which event the United States might suspend the operation of the clauses with regard to reciprocal trade. So by 1854 the St. Lawrence was finally freed from the restrictions of the Old Colonial System, by which its commerce had been bound so long, and was thrown open as a highway to the sea for the people on both sides of the boundary line. In this arrangement the United States dropped its claim of "natural right", but the interests of all the parties concerned ensured that the privilege of free navigation, once given, would never again be permanently withheld. In 1866 with the abrogation of the Reciprocity Treaty the right was suspended, but by the Treaty of 1871 it was conceded forever, subject only to the laws of Canada and Great Britain, which, it was agreed, should not be inconsistent with the privilege extended to American citizens.

GEORGE W. BROWN

¹*North American Review*, 1854, LXXIX, 483.

THE CANADIAN-AMERICAN FRONTIER DURING THE REBELLION OF 1837-1838¹

IN order to understand the situation which existed along the Canadian-American frontier during the period of the rebellion of 1837-1838, at least three factors must be taken into consideration: (1) the character of the American population living along the Canadian frontier; (2) the nature of the disturbances in Canada during those years; and (3) the influences which each of these factors had upon the other.

In regard to the first point, western New York, northern Ohio, and eastern Michigan, the regions with which we are here concerned, were settled largely by New Englanders.² To those who are familiar with the influence of the New England element in American history this fact means much. The decade of the thirties witnessed the rise of various reform movements in the United States, and frequently New Englanders were leaders in these reforms. Abolition societies, temperance societies, and societies for labour and prison reform flourished as never before. This tendency to form societies for the promotion of objects in which certain groups or classes were interested was a characteristic feature of American life at that time.

Another American characteristic of the period was a growing attachment to principles of democracy. American democracy was young, and was just beginning to feel its strength. Americans of that day regarded with pride their republican institutions and the development along democratic lines which had taken place during the first half-century under the constitution. To their minds political liberty could be enjoyed only under republican institutions. To many Americans of that day it was not enough merely to get along without slavery themselves; the slaves of others must be liberated. It was not enough merely to abstain from the use of intoxicating liquors; others must be made free

¹Read at the meeting of the American Historical Association at Ann Arbor, Michigan, December 30, 1925.

²Lois Kimball Mathews, *The Expansion of New England* (Boston, 1909), 166-169.

from the evil influences of intemperance. In like manner, to some Americans living along the Canadian frontier it was not enough merely to enjoy republican institutions; the inhabitants of Upper Canada should also enjoy similar blessings. Desire for personal gain had much to do with the attitude of Americans along the frontier towards the Canadian disorders of 1837-1838, as will be shown later in this paper, but the peculiar psychology of the American frontiersmen of that day in regard to correcting what to them were errors and injustices existing in other places or with other peoples must be taken into consideration for a correct understanding of the events of the period.

From the constitutional standpoint the Canadian rebellion of 1837 was the logical outcome of the British attempt of 1791 to solve the problem of colonial government so far as Canada was concerned. Experience with the American colonies before 1776 had convinced colonial authorities in Great Britain that too much latitude had been given to colonial assemblies, particularly in relation to control over finance. The Constitutional Act of 1791 was an attempt to construct a colonial government which would satisfy the growing British elements in Canada, which would also help solve the racial problem presented by the French Canadians, but which would, at the same time, prevent the development of democratic or independent tendencies on the part of the colony. Moreover, it was the intention of British authorities to construe strictly the provisions of the Act of 1791, and keep as much power as possible in the hands of the executive.¹

The second attempt of British statesmen to solve the problem of colonial government was but little more successful than the first. If the situation did not lead again to the disruption of the Empire, it did lead to armed rebellion which carried with it at least a possibility of disruption. Clearly, the problem of colonial government had not yet been solved. Under a political organization such as then existed in Canada, democracy could make no headway. (The trend of the times was towards democracy, however, and when men could not get what they wanted with existing political machinery some of the more radical members of Canadian society broke into open rebellion.) The idea of "responsible government", which was being demanded in Canada, seemed to British statesmen to be totally impossible of applica-

¹Arthur G. Doughty et Duncan McArthur, *Documents relating to the Constitutional History of Canada, 1791-1818* (Ottawa, 1915), 237.

tion in colonial government.¹ British statesmen could not see how the colonial executive could be responsible to the Colonial Office and at the same time be responsible to the colonial legislature. This was the fundamental constitutional point involved in the controversy between colony and mother country, and herein lies the chief significance of the Canadian rebellion. It constituted a real crisis in the history of the British Empire by placing squarely upon British statesmen the responsibility of finding a solution to what seemed to be an insoluble problem, and it also brought about a crisis in the relations between Great Britain and the United States.

The rebellion of 1837 was neither well organized nor generally supported, and, after its speedy collapse, some of the leaders escaped across the boundary into the United States. With a band of about two hundred men, raised in the United States, composed chiefly of Americans, and commanded by Van Rensselaer, an American citizen, Mackenzie and his followers seized Navy Island in the Niagara River, on the Canadian side of the boundary, and, on December 13, issued a proclamation to the people of Upper Canada. After reciting the principal grievances which Upper Canada was said to have suffered, the proclamation outlined the objects of the rebellion.² These objects included such well-known points as republican government, civil and religious liberty, the abolition of hereditary honours, free trial by jury, vote by ballot, freedom of trade, and encouragement for education. The proclamation also declared for the opening of the St. Lawrence to the trade of the world and for "the distribution of the wild lands of the country to the industry, capital, skill, and enterprise of the worthy men of all nations."

Although addressed to the people of Upper Canada, this proclamation seems to have aroused more enthusiasm along the frontier in the United States than it did in Canada. The leaders of the Canadian rebellion evidently knew the character and the psychology of the American frontiersmen. /The type of grievances mentioned in the proclamation would appeal to the rising spirit

¹Said Lord John Russell in 1837: "That part of the constitution which requires that the ministers of the crown shall be responsible to parliament and shall be removable if they do not obtain the confidence of parliament is a condition which exists in an imperial legislature and in an imperial legislature only. It is a condition which cannot be carried into effect in a colony—it is a condition which can only exist in one place, namely the seat of the empire." Quoted in W. M. P. Kennedy, *The Constitution of Canada* (London, Oxford University Press, 1922), 177.

²*Montreal Transcript*, January 2, 1838; also *Novascotian*, January 25, 1838.

of democracy in the United States and would furnish American "reformers" with one more object or opportunity of "reform". Moreover, the proposal to distribute land to "the worthy men of all nations" appealed to men south of the boundary line who considered themselves in that class, and whose attention had already been directed towards the unoccupied lands in Upper Canada. Consequently, it was not difficult to get recruits in the United States, especially when selfish ends could be achieved by such an enterprise as substituting republican for monarchical institutions.¹ Mere love of fighting for what was considered a worthy ideal also doubtless caused many young men to engage in the contest, the same sort of impulse as caused many young Americans to cross to Canada to fight in a far worthier cause between 1914 and 1917.

Many American newspapers in the region near the boundary line gave wide publicity to the propaganda of the refugees and "reformers" and public meetings were held in many places to give encouragement to the movement. Arsenals were broken into by sympathizers with the rebels, and several pieces of artillery and other arms were seized and transported to Navy Island, apparently in daylight and without serious resistance by American local authorities. Soldiers were enlisted in Buffalo "with the avowed object of invading Canada and establishing a provisional government."² This activity was not ignored by American officials. Proclamations were issued by Governor S. H. Jenison, of Vermont, and by Governor W. L. Marcy, of New York, calling upon the people of their respective states to observe neutrality in regard to the disturbances in Canada,³ and the United States marshal for the northern district of New York, N. Ganon, went to Buffalo for the purpose of serving process upon individuals suspected of violating federal laws.⁴ Very little seems to have been accomplished thus far, however, by way of restraining

¹"The concurrent statements of the Canadian press, the American press, and of private letters, leave no longer any doubt of a hostile feeling along, and within, the American frontier—a cherished hope of perpetuating their own blind prejudices at the expense of the British Government, which, with all its noble characteristics, has in their eyes the damning sin of being a monarchy" (*Montreal Transcript*, December 23, 1837).

²Head to Fox, in James D. Richardson, *Compilation of the Messages and Papers of the Presidents* (1895-1899), 3: 461-465.

³Printed in *The Novascotian*, December 28, 1837, and in *The Hamilton Gazette*, January 2, 1838.

⁴Ganon to Van Buren, in Richardson, *Messages and Papers of the Presidents*, 3: 399-400.

American citizens along the frontier from committing hostile acts against a country with which the United States was at peace.

On the night of December 29, 1837, an event happened at Schlosser, New York, which eventually brought the United States and Great Britain to the verge of war. The steamboat *Caroline* had been making trips back and forth between Navy Island and the American shore taking supplies to the rebels. Colonel MacNab, commanding part of the British forces and knowing of the activity of the *Caroline*, sent Captain Drew to Navy Island on the night of December 29, hoping to capture the vessel while it was in Canadian waters. The *Caroline* was found to be in the harbour at Schlosser, New York, but notwithstanding this fact the vessel was seized, set on fire, and sent drifting down the river towards Niagara Falls. During the skirmish Amos Durfee, of Buffalo, was killed. Immediately the whole region along the Canadian-American frontier was in commotion, and President Van Buren deemed it necessary for the United States government to take official notice of the situation. In a proclamation, issued on January 5, 1838, Van Buren admitted that the force at Navy Island had been organized in, and furnished with supplies from, the United States, and he called upon all citizens who had thus violated their duties to return peaceably to their respective homes. He also gave notice that the laws of the United States would be enforced and that American citizens, should they be captured on Canadian soil, could expect "no aid or countenance" from the American government.¹ General Winfield Scott was ordered to "repair without delay to the Canadian frontier of the United States and assume military command there."

Many American newspapers which had encouraged hostile acts against Canada now gave expression to demands for redress for the violation of United States territory. Such newspapers, however, were to be found chiefly along or near the boundary line. Newspapers like the *New York Evening Star*, the *Commercial Advertiser*, and the *Boston Times* plainly told their readers that, much as they regretted to say it, their countrymen were largely to blame for the situation existing along the frontier. It was pointed out that American citizens were the first to violate the peaceful relations existing between the two countries and that perhaps there was some justification for the destruction of, the

¹Richardson, *Messages and Papers of the Presidents*, 3: 481.

Caroline. "The fable of the farmer and the lawyer," said the *Boston Times*, "ought to be fresh in the minds of every one upon an occasion like the present. It makes a vast deal of difference whose bull it was that gored the ox."¹

After the suppression of the rebellion in Upper Canada and the dispersal of the force at Navy Island on January 14, 1838, the excitement along the frontier seemed to be somewhat abated, although small groups of disaffected individuals took refuge at Thousand Islands and caused Canadian authorities much anxiety during the spring and summer of 1838. It was at this time that Lord Durham came to Canada, and during these months he was collecting the information which constituted the basis of his memorable report. About the time that Lord Durham arrived in Canada, violence again appeared along the frontier. The British steamer *Sir Robert Peel* was burned in American waters by some of the individuals from Thousand Islands, and soon afterwards it became known that a peaceful American boat, the *Telegraph*, had been fired upon by British sentries near Brockville. Immediately a war spirit flared up on both sides of the boundary line, and, as the success of Lord Durham's mission depended quite largely upon the maintenance of peace between Great Britain and the United States, Colonel Grey was sent to Washington to co-operate with the British minister, H. S. Fox. Colonel Grey had interviews with the president and with the secretaries of state and war, and was convinced that the American authorities were perfectly sincere in their desires to enforce the law and restrain the actions of misguided citizens.² British authorities in England also believed that the American government had acted "in perfect good faith during the late transactions".³ Lord Durham's mission had great effect by way of causing Canadians to reconsider the advisability of rebellion as a means of obtaining the redress of grievances. There can be no doubt, however, but that disaffection in Upper Canada was far more serious than would seem to be the case, to judge by the ease with which the uprising of 1837 had been crushed.⁴

¹Quoted in the *Montreal Transcript*, January 11, 1838.

²Fox to Durham, *Calendar of Durham Papers*, 1: 729.

³Lord Glenelg to Lord Durham, in Sir C. P. Lucas, *Lord Durham's Report on the Affairs of British North America* (Oxford, 1912, 3 vols.), 3: 315.

⁴Major-General Sir George Arthur wrote to Lord Durham that many Canadians were ready to rush into rebellion and were repressed only by the presence of troops. Arthur was also convinced that there was a "large class in the province who desired American institutions" (*Calendar of Durham Papers*, 2: 63).

While a period of calm seemed to exist, it did not require much of a glance below the surface to see that the crisis was not yet over, for it was during the summer of 1838 that Hunters' Lodges were being formed along the frontier from Vermont to Michigan. These societies were formed on the American side of the line, but they operated in Upper Canada,¹ and to some extent in Lower Canada also.² Information was received by Canadian authorities during the summer,³ and by early autumn those authorities were in possession of rather complete information regarding the organization, aims, and plans of the Hunters.⁴

The organization of Hunters is said to have been formed in Vermont,⁵ but headquarters were established at Cleveland, Ohio, and from there the organization spread eastward through Ohio and New York and westward into Michigan. In some places the society was organized under the name of "Hunters and Chasers in the Eastern Frontier" and in other places under the name of "Lodge of Patriotic Masons". (In ordinary conversation the members of the order were referred to as "Hunters" or as "Patriots") The chief point to the obligation, by way of recognizing a brother Hunter, was not in any conceivable manner to make the shape or sign of the snow-shoe. If an individual claimed to be a member and could give the secret signs and pass word, the final test was to ask him to draw a picture of a snow-shoe. If he did so, he was known not to be a member, for all Hunters were under obligation not to make it. There were four degrees in the Lodge, but the rank and file were to use only the first (or "Snow Shoe") degree while in the army which the Hunters proposed to raise. The second was the "Beaver" degree; the third was the degree of "Master Hunter", and the fourth was the degree of "Patriotic Hunter". The general purpose of the organization, as stated in the secret work, was "to emancipate the British Colonies from British Thralldom". It was reported, and the report was supported by independent statements, that at a convention held at Cleveland, Ohio, on September 16, 1838, and attended by one hundred and sixty

¹Archives of Canada, Rebellion, C 613, p. 239.

²Archives of Canada, Durham Papers, Sec. 4, Part 2, pp. 664-666.

³Archives of Canada, Rebellion, C 610, 3: 38-44; C 611, 4: 145; C 612, 5: 267-270.

⁴This statement of fact is based quite largely upon material in Archives of Canada, Durham Papers, Sec. 4, Part 2, pp. 789-822.

⁵William Kingsford, *The History of Canada* (London, 1898), 10: 457.

delegates from the United States and Canada, a man named Smith, of Cleveland, was elected president of the "Republic of Canada".¹ It was also stated to Canadian authorities that almost all of the "Patriots" were "administration" men and friends of Van Buren, *i.e.*, Van Buren Democrats. 'Arms were to be collected and an army was to be organized for the invasion of Canada.' It was estimated at the time that the organization contained between 40,000 and 200,000 members. It was reported among the Hunters that Governor Mason, of Michigan, Governor Kent, of Maine, and Governor Marcy, of New York, were members, and that Henry Clay was also a member, but the person giving information to Canadian authorities stated that he did not believe that Henry Clay was a member and that he doubted very much the statement in regard to Marcy. He did, however, believe that Governor Mason, of Michigan, was a Hunter.

In 1838 the officers of the Hunters' Lodges sent out a printed prospectus entitled "An Address to the Different Lodges upon the Subject of a Joint Stock Banking Company Bank". Following an introductory discussion regarding the nature of institutions suitable for a monarchy and for a republic, the prospectus outlined plans for the "Republican Bank of Canada". This financial institution was to be controlled by the people through delegates chosen by popular vote to elect the directors of the bank. Gold and silver should be the only legal money, but if it became necessary to issue paper currency it should be issued by this bank. "The whole of the wealth, revenue, and resources of the Patriot Dominions" (*i.e.*, Upper Canada) were pledged as security for loans made by the bank for the conquest of Canada, and members were assured that they would get their money back with interest if the cause triumphed. The capital stock was fixed at \$7,500,000, divided into 150,000 shares of \$50 each, but it was stated that the capital stock would be increased later in order "to allow every

¹Henry Sherwood, Judge Advocate, wrote from Toronto, on January 26, 1839, to Sir George Arthur that Governor Mason, of Michigan, "was not only friendly to the cause in which they had embarked, but it was supposed and believed amongst the brigands that he was a member of one of their secret societies" (Archives of Canada, Transcripts from the Colonial Office Records, Canada, Q. 413, Part 1, p. 220).

Major General Brady, of the United States Army, who was stationed at Detroit and who co-operated in every way with Canadian military authorities, stated that he could get little support from civil authorities, that he believed that the number of members reported to be in the Hunters' Lodges was greatly exaggerated, and that the names of prominent men were "used for effect" (Archives of Canada, Rebellion, C 614, 7: 137-147).

individual on the Continent to hold one share." No loans were to be made to individuals until after "the cause of liberty" had triumphed, *i.e.*, until after the conquest of Canada had been completed.¹

(Although the Canadian authorities possessed rather complete information as to the purposes and plans of the Hunters, they did not know when or where the first blow would be struck.) The rebels in Lower Canada took up arms during the first week in November, 1838. Just what connection, if any, the Hunters had with this revolt is not clearly revealed by the records in the Canadian Archives. Apparently the Hunters took little direct interest in Lower Canada, but they probably knew that the revolt would take place about when it did. At any rate, the Hunters east of Oswego began to concentrate at the time that the rebels took up arms in Lower Canada.² The general plan seems to have been for members of the Hunters' Lodges to embark at different ports and concentrate into several groups for attacks at different points in Upper Canada. By having attacks made at several places in Upper Canada while the rebellion was in progress in Lower Canada, it was thought that there would be ample opportunity for the people of Upper Canada to rise in large numbers. (There is no doubt but that the Hunters expected a large number of Canadians to rise in revolt as soon as the invaders made a landing on Canadian soil.)

An attack was made at Prescott on November 11, 1838, but it was badly managed, and the Canadian authorities were able to assemble troops and repulse the invaders. About two hundred men landed at Prescott, and about 150 of them were killed or captured. Of those who were killed or captured, eighteen were British subjects, eleven were Europeans, not British subjects, and the remainder were Americans. The official list of prisoners shows that only slightly more than one-third of the invaders were Hunters.³ (Another attempted invasion of Canada took place at Sandwich, near Windsor, on December 4, 1838, and the outcome was similar to that at Prescott. Of the twenty-five prisoners taken at Windsor, one was from Scotland, one from

¹A copy of this address is in the Archives of Canada, Durham Papers, Sec. 4, Part 2, pp. 823-831.

²Archives of Canada, Transcripts from Colonial Office Records, Canada, Q. 413, Part 1, p. 228.

³Archives of Canada, Transcripts from Colonial Office Records, Canada, Q. 413, Part 2, pp. 259-270.

England, one from New Brunswick, one from Lower Canada, three from Upper Canada, and the remainder were Americans. Of the total number only nine were known to be Hunters.¹

The evidence presented at the trials of the prisoners taken at Prescott and Windsor revealed two principal motives on the part of the men who took part in the invasion. One motive was the sincere desire to help the Canadians gain their liberty, and the other was the hope for personal gain in the form of liberal land grants.² The propaganda of the leaders had been such that many of the misguided men who took part in the invasion honestly believed that they were rendering high and noble service in the cause of humanity by assisting the people of Upper Canada to gain liberty under republican institutions.³ In regard to the other motive, some of the prisoners admitted that they had been promised one hundred and sixty acres of land,⁴ and Sir Francis Bond Head stated to the Legislative Council, on December 28, 1838, that three hundred acres of land had been promised to volunteers who would assist in the invasion of Canada.⁵ On the part of the leaders in the movement, a motive may have been the desire to provoke war between the United States and Great Britain and thus bring about a real invasion of Canada, but Mackenzie at least emphatically denied that this was the intention.⁶

In regard to the miserable failure of the attempts at invasion, the fact seems to be that both the Americans along the frontier and the disaffected Canadians expected the other to give more assistance than they actually did, and that each group was greatly disappointed at the showing made by the other. Mackenzie especially was greatly disappointed. The relatively small percentage of the prisoners who were known to be Hunters was nothing like as formidable as it was generally believed to be, or that the leadership was extremely defective. Most of the Hunters were apparently willing to let the other fellows do the fighting, and one can hardly escape the feeling that the Hunters who were taken prisoners, some of whom were executed, were victims of the schemes of leaders who carefully kept out of danger, but who

¹Archives of Canada, C. 613, 6: 165.

²Archives of Canada, Transcripts from Colonial Office Records, Canada, Q. 413, Part 2, p. 256.

³*Ibid.*, p. 275.

⁴*Montreal Transcript*, January 4, 1839.

⁵Mackenzie's *Gazette*, New York, December 22, 1838.

were perfectly willing to reap the economic advantages if the invasion had been successful.¹

One reason for the activity of the Hunters during the summer and autumn of 1838 was, without doubt, the fact that state and congressional campaigns were in progress. The existence of a secret order which was credited with a large membership, and one of whose obligations was to vote for members of the order,² was precisely the sort of thing that would make politicians anxious either to be a member of the organization or to follow a line of action which might be interpreted one way or the other as circumstances should dictate. The existence of a prominent secret order in our own day and the attitude of some politicians towards it is suggestive as to the probable situation in 1838. It was generally believed in the beginning that the Hunters might expect more support from the Van Buren Democrats, but the Whigs were apparently unwilling to let their opponents gain whatever advantages might come from the organization of Hunters.³ Mackenzie was a warm supporter and admirer of Van Buren during 1838.⁴ Van Buren's proclamation in connection with the rebellion in 1837 was used to good advantage by the Whigs to show that, after all, the Democrats were not so friendly to the invasion of Canada. In the election of 1838 William H. Seward was elected governor of New York over W. L. Marcy, who was then governor, and for some years the northern counties of New York "expressed at the polls their condemnation of the [Van Buren] administration and its party."⁵ It was even suggested in the *Ogdensburg Republican* that the invasion at Prescott in November was part of the Whig campaign to carry the state election in New York.⁶

¹"I only regret that they [the consequences of the invasion] cannot be visited on the heads of the prime movers and instigators, as they have been, we all here admit, *most justly*, on many who were more the *strings pulled*, than the *string pullers*" (Duncan to Fergusson, Archives of Canada, Transcripts from Colonial Office Records, Canada, Q. 413, Part 3, p. 484).

²*Ibid.*, p. 98.

³*Ibid.*, p. 130.

⁴Mackenzie's *Gazette*, New York, August 25, 1838.

⁵Ellis Henry Roberts, *New York* (American Commonwealth Series, 1897), 2: 594-595.

⁶"Rumor also says that it was one part of the machinery by which conservative aristocracy obtained their success at the election in this state and that it was never designed by the knowing ones, the very head men of the secret conspiracy that got up this expedition to go on with it any longer than till the election should take place" (Clipping from the *Ogdensburg Republican* in Mackenzie's *Gazette*, February 23, 1839).

In addition to whatever advantages politicians might get out of the organization of Hunters, this movement made an economic appeal to certain classes of American society along the frontier. Sir George Arthur wrote to Lord Glenelg on January 2, 1839: "Every store in Buffalo, Detroit, Rochester, and other towns has been ransacked during the last and present winters for supplies for our militia, and whilst American store keepers have thus received thousands of pounds from our Commissariat Chest, they could well afford, and it was also their direct interest, to be liberal contributors to the Hunters' Lodges, and to keep alive the excitement which proves so peculiarly profitable to them."¹

The outcome of the raid at Prescott had a sobering effect on the Americans along the frontier, and it presented a puzzling problem to the authorities in Canada. That the people of northern New York had a sudden change of sentiment in regard to conditions in Canada after some of their fellow-citizens were doomed to pay with their lives for their indiscretion, or, as was probable, that the more law-abiding element in the frontier population finally asserted itself, was shown by a mass meeting held at Watertown, New York, December 21, 1838, at which a series of resolutions was adopted. The substance of these resolutions was that peace should be maintained between the United States and Great Britain, that Americans should leave Canadians "to enjoy the government of their choice", that the people along the frontier should "exert themselves to the utmost of their power to prevent all hostile invasions into the neighboring provinces", that the Hunters' Lodges should everywhere and at once disband, and that, while they acknowledged the right of the provincial authorities to inflict the death penalty upon the Prescott prisoners, they hoped "to see justice tempered with mercy."²

Sir George Arthur, who had possibly been unduly severe by insisting on the execution of Samuel Lount and Peter Matthews for their part in the rebellion in 1837, was placed in a difficult position because of the Prescott prisoners. On the one hand, the loyal inhabitants of Upper Canada demanded the extreme penalty for the condemned prisoners in order "to deter the refuse frontier population of the Union from repeating their enormities."³

¹Archives of Canada, Transcripts from Colonial Office Records, Canada, Q. 413, Part 1, p. 66.

²Archives of Canada, Transcripts from Colonial Office Records, Canada, Q. 413, Part 1, pp. 37-40.

³*Ibid.*, p. 5.

The Executive Council of Upper Canada also recommended the death penalty for the prisoners, believing that the law-abiding elements of the American population, instead of resenting or regretting such action, would rejoice that there was a power in Canada which could and would check and punish disorders which might, if unchecked, involve the two countries in war.¹ On the other hand, Arthur was inclined to believe that a policy of mercy towards the prisoners, except in the cases of the leaders, would be more likely to aid in the preservation of peace, and this he regarded as the chief point to be considered in connection with the problem presented by the condemned prisoners. Admitting that this policy would not be popular in Upper Canada, he continued: "Nevertheless, with the perfect knowledge I possess of the actual state of this province, my deliberate judgment is that no greater calamity could happen to it than a war with the United States. All I can add is, that certainly it is possible such an act of clemency as I propose may fail to produce the intended conciliatory effect; but it surely ought to produce it, and I trust, would do so."²

Here was an example of a man in a position of authority who sincerely desired peace and who was willing to do the unpopular thing in his own country in order to maintain peace.³ It might also be added that Sir George Arthur's conduct was appreciated and approved at the time south of the international line.⁴

The excitement quieted down again after the events of November and December, 1838, but these events by no means ended the activity of the Hunters' Lodges along the Canadian-American frontier. The Hunters were active at times during the decade of the forties; and, in effect, a British naval armament was equipped

¹*Ibid.*, pp. 26-27.

²Arthur to Lord Glenelg, February 5, 1839, Archives of Canada, Transcripts from Colonial Office Records, Canada, Q. 413, Part 1, 190-198.

³"In some of the more violent papers in the States, I observe they have inserted prints representing the President and myself 'pulling in the same boat'; this is what I have been striving to effect, and I should be sorry to give him an opportunity to let go his oar" (Arthur to Lord Glenelg, January 1, 1839, Archives of Canada, Transcripts from Colonial Office Records, Canada, Q. 413, Part 1, p. 5).

⁴"Sir George Arthur has thro' the whole affair conducted himself most admirably—carefully avoiding compromising the character and dignity of his Government, and at the same time avoiding an unnecessary rupture with this country. Few men could have gone thro', with so much credit to himself and his country, the delicate and often irksome situations he must have been placed in" (Duncan, of Alton, N.Y., to Adam Fergusson, January 3, 1839, Archives of Canada, Transcripts from Colonial Office Records, Canada, Q. 413, Part 3, p. 484).

on the Great Lakes in order to protect Canada against the actions of the members of this organization.¹ Although the Hunters constituted a very small minority of the American population, as the rebels did in Canada, these proved to be very troublesome minorities.

A survey of the period of the Canadian rebellion indicates that there were abundant opportunities for war if either the United States or Great Britain had been disposed to have war, and this was particularly true in connection with the McLeod case, which grew out of the events here described. On more than one occasion the two Anglo-Saxon nations were nearer the brink of war than has sometimes been realized. The history of the period under consideration also illustrates the fact that, in spite of trying circumstances which test the forbearance of men, peace can be maintained and international disputes can be settled by diplomacy when there is a sincere desire for peace on the part of those in positions of authority. Such was the situation in both countries in the years following 1837, and as we look back on the events of those years it seems evident that peace was maintained chiefly because there was the will to have peace.

The episode was not without advantage to Canada. The seriousness of the situation along the frontier, together with the fact that an intolerable situation did exist in the government of Canada, brought about the realization on the part of colonial authorities that substantial changes in the government were imperative. Lord Durham's mission was followed by the Act of 1840 under which, during the administration of Lord Elgin, the principle of responsible government was recognized. Although it required many years to work out the details, responsible government in a colony was not such an insoluble problem as British statesmen had thought it to be in the years before 1837, and instead of leading to independence it bound Canada more strongly than ever to the mother country.

In the United States, perhaps there is owing a greater debt of gratitude to Martin Van Buren for his sincere desire to have peace than has ever been realized and acknowledged.

WILSON PORTER SHORTRIDGE

¹Archives of Canada, Transcripts from the Colonial Office Records, Canada, Q. 413, Part 3, pp. 510-511.

NOTES ON THE TREATY-MAKING POWER

I. NOVA SCOTIA AND THE RECIPROCITY TREATY OF 1854

IN view of the powers which the Canadian government has recently obtained for the negotiation of separate treaties, it is not without interest that as early as 1853, Nova Scotia asserted the right to be consulted in the negotiation of the Reciprocity Treaty with the United States, concluded by Lord Elgin, on behalf of Canada and the maritime provinces, in the following year.

When it became known that negotiations for a commercial treaty were in progress between the governments of Great Britain and the United States, the legislature of Nova Scotia on February 17, 1853, sent the following address to Her Majesty:

We have learned with deep interest that negotiations are pending between your majesty's government and the government of the United States, involving not only questions of reciprocal trade between the two countries, but the surrender of national and colonial rights of a very important character. Warned by the experience of the past, and the results of treaty stipulations in which the interests of British America have been seriously compromised without the provincial governments and legislatures being consulted, the house of assembly pray that no treaty may be negotiated by your majesty which would surrender to foreigners the reserved fisheries of our sea-coasts, or any participation therein, without an opportunity being afforded to the government and legislature of Nova Scotia to consider and express an opinion upon its terms.¹

To this vigorous address the Duke of Newcastle returned the customary reply that "Her Majesty had been pleased to receive it very graciously."² In due course, however, the proposed treaty was concluded at Washington between Lord Elgin on the part of the British government and Mr. Marcy on the part of the United States, without the presence of delegates from Nova

¹N.S. Journals, 1853, pp. 264-265. Passed unanimously on motion of the Hon. the Provincial Secretary.

²N.S. Journals, 1853, Appendix No. 71, p. 447.

Scotia who were ready to participate in the negotiations.¹ According to the terms of the agreement, the citizens of the United States were granted the privilege of enjoying the inshore fisheries on the coasts of Nova Scotia, and also the right to land and use the coasts and shores of the province for purposes connected with the fisheries.² To give them the legal right to enter into these privileges, it was necessary for the legislature of Nova Scotia to abrogate legislation inconsistent with the terms of the treaty.³ It was in this manner that the treaty came before the assembly of the province for further discussion. The necessary legislation was eventually passed, but not before spirited protests had been made by such eminent colonial statesmen as the Hon. J. W. Johnstone and the Hon. Joseph Howe.

In the course of the debate the Hon. J. W. Johnstone, who had given strong support to the address which had been sent to Her Majesty in the previous year, proposed the following resolution:

Whereas the house has learned that by a treaty concluded at Washington on the 5th of June last, by Lord Elgin on the part of the British Government and Mr. Marcy on the part of the United States, and subsequently ratified by both governments, not only has the privilege of enjoying the inshore fisheries on the coasts of Nova Scotia, in common with Her Majesty's subjects, been surrendered to the United States, but the right to land and use the coasts and shores connected with the fisheries has been conceded, and

Whereas the members of the provincial government have communicated to this house that the opportunity was not afforded them by the imperial government, or any functionary thereof, to represent, at the negotiation of the treaty, the opinions, feelings and interests of the people of Nova Scotia, on the vitally important questions it involved.

Resolved, that the legislature of this province is placed in a position inconsistent with the independence and dignity that belong to the representatives of British subjects—called upon to deliberate on a question of the deepest moment to their country, after the principal subject of deliberation has been arbitrarily removed from their control; and invited to discuss the adoption or rejection on

¹N.S. Journals, 1854-5, Appendix No. 1, p. 9.

²N.S. Journals, 1854-5, Appendix I and 2, pp. 1-33. Papers and correspondence relating to treaty.

³N.S. Journals, 1854-5, Appendix No. 1, p. 7.

their part of a treaty, after the object of most value has been absolutely alienated without their concurrence and beyond their recall. And those members of this house who are of opinion that the territorial rights conceded to the United States ought not to be surrendered, may be compelled as an act of necessity to acquiesce in a measure which, had they the power, they would reject as incompatible alike with the honor and interest of their country."¹

This resolution was defeated 31-15.

Howe exceeded even Johnstone in the severity of his strictures, as illustrated by the following extract from his speech:

If I and my children are to be taught that questions of such moment are to be decided, and our most valuable rights swept away by the dash of any Colonial Secretary's pen, then the time is rapidly approaching when we should have to appoint here, a Committee on Foreign Relations—those Foreign Nations to include the Realm of England. . . . I may be before the age, but the Ministry of England have done an act to Nova Scotia which changes my nature—turns the current of my blood, and my thoughts are less attached (I will not say to the Mother Country, which I hope will ever hold a place in our dearest affection) but to a system under which so great a wrong has been perpetrated on the people of my country.²

Mr. Howe then introduced the following resolution:

Resolved, That this house, having, under the peculiar circumstances in which the Province was placed, passed a Bill to give effect to the Treaty negotiated at Washington on June 5th last, yet regard it as a sacred duty to express their deep indignation at the manner in which the Territorial rights of Nova Scotia, were bargained away, and the inshore fisheries left defenceless, without the presence at Washington of any Representative of this Province, and before either its Government or Legislature had been consulted!

This resolution was defeated 23-18.³

Although both of these resolutions were defeated, it is submitted that the address to Her Majesty sent on February 17, 1853, together with the protests of Johnstone and Howe, constitute what is perhaps the first claim on the part of a British colony to the right of participation in the negotiation of a treaty in which its rights were vitally affected. A final chapter in the incident was written on April 3, 1855, when the proposal to

¹N.S. Journals, 1854-5, pp. 568-570.

²Halifax *Morning Chronicle*, Dec. 9, 1854.

³N.S. Journals, 1854-5, p. 582.

appoint a Canadian minister at Washington was anticipated in the following resolution passed by the assembly:

Resolved, That in view of the greatly increasing trade and intercourse between the British North American possessions and the United States, consequent upon the operation of the reciprocity treaty lately concluded, it is, in the opinion of this house, highly desirable and expedient that some competent person should be appointed specially to represent and protect British colonial interests in the United States; and that his excellency the lieutenant governor be respectfully requested to bring this resolution to the notice of the imperial government.¹

There is no record in the Journals of any reply to this resolution having been received in this or subsequent years.

II. AN EMBASSY FROM NEWFOUNDLAND, AND THE FISHERIES CONVENTION OF 1857

The controversy which developed in Nova Scotia over the manner in which the Reciprocity Treaty had been concluded, in 1854, was revived three years later when a convention was concluded between England and France on the subject of the Newfoundland fisheries. This convention was considered so prejudicial to the interests of Newfoundland that a delegation was appointed by the Assembly of the island to proceed to the other British North American colonies in order to secure their co-operation in a protest against the agreement. On March 10, 1857, the Speaker of the Assembly of Nova Scotia announced that he had certain papers to communicate to the House, from the Assembly of Newfoundland, on the subject of a Fisheries Convention between Great Britain and France. The members of the delegation, the Hon. John Kent and Frederick Carter, were then introduced, and having been invited to present their views to the Assembly, they proceeded to show cause why Nova Scotia should join with their government in a protest which had been forwarded to Great Britain.

The debate in the Assembly of Nova Scotia revealed a sympathetic attitude to the representations made by the delegates from Newfoundland. The premier, the Hon. Mr. Young, is quoted in the reports as follows:

It is a question between Great Britain and France intimately affecting our fellow subjects. I deeply regret that any action of

¹N.S. Journals, 1854-5, p. 734.

the Imperial Government affecting a colony so ancient and so valuable, should have led the Assembly of that Island to express itself in such strong and indignant language as that we have just heard read. It could hardly be supposed that a convention affecting those interests would be concluded in London without reference to parties residing there, and well acquainted with the island and its fishery. If the statements of the address, however, be correct, it appears, that by the superior skill and zeal of the French negotiators, Great Britain had, as in other transactions with foreign states, surrendered the interests of its own colonies in favour of a foreign power. If so, Nova Scotians would naturally and reasonably sympathize with their fellow colonists—and this House, to a great extent, participate in the feeling of the House of Assembly of Newfoundland, and would willingly consider how it could adequately express opinions on the subject so as to strengthen the hands of the delegates and of the colony which they represent.¹

The opinion of the Hon. Joseph Howe is reported as follows:

Hon. Mr. Howe remarked that he did not know much of the question now brought to the attention of the House, but it reminded him that almost every day's experience in the history of the Colonies showed the importance of having some one at the other side of the Atlantic to represent and guard the interests of those dependencies. The House might recollect what had been arranged some years ago, concerning the interests of Nova Scotia; and when the consent of the Province was asked with a significant hint that if it were not given, a short act might convey away to a foreign power the right of fishing along the coast of this Province. Today we find extensive fishing and territorial rights given to France without the consent of the people, but under condition of their acquiescence, because something remains to be done by the Colony. How little, however, could that island effect against the will of France and England on such a question. Representation in England, and organization for protection against interference in such matters as this may be expected to be forced on the Colonies ere long. Let none, he said, imagine that he uttered a word savouring of disloyalty,—Heaven forbid—he only alluded to common grounds of action for self defence.²

After further discussion, the Legislative Council and Assembly of Nova Scotia passed a joint address to Her Majesty supporting the protest already made by Newfoundland.³ But before this

¹Nova Scotia Debates, 1857, p. 157.

²Nova Scotia Debates, 1857, p. 157.

³Nova Scotia Journals, 1857, p. 311.

had been transmitted, a communication was received from the Colonial Office that the Convention had been abandoned. Since this communication laid down two important rules of constitutional practice, it may be quoted in full.¹

Downing Street

26th of March 1857

No. 10

Sir—

I have to acknowledge your despatches of the numbers and dates specified in the margin.

When her majesty's government entered into the convention with that of France, which has formed the occasion of that correspondence, they did so in the hope of bringing to a satisfactory arrangement the many complicated and difficult questions which have arisen between the two countries on the subject of the Newfoundland fisheries. But they did so with the full intention of adhering to two principles which have guided them and will continue to guide them: namely, *the rights at present enjoyed by the community of Newfoundland are not to be ceded or exchanged without their assent, and that the constitutional mode of submitting measures for that assent, is by laying them before the colonial legislature.*²

For this reason they pursued the same form of proceeding which had been pursued in the case of the reciprocity convention with the United States, and which in that case was adopted and acted upon by the Newfoundland legislature. It was in perfect harmony with the same precedent that it appeared necessary in the present instance to add a condition respecting parliamentary enactment, in order that, if necessary, any existing obstacles to the arrangement in the series of imperial statutes might be subsequently removed.

The proposals contained in the convention having been now unequivocally refused by the colony, they will of course fall to the ground.

And you are authorized to give such assurance as you may think proper, that the consent of the community of Newfoundland is regarded by her majesty's government as the essential preliminary to any modification of their territorial or maritime rights.

I have, &

H. LABOUCHÈRE

Governor Darling, Newfoundland

Copy sent to Gov. of Nova Scotia.

¹Nova Scotia Journals, 1857, Appendix No. 62, p. 377. See also Keith, *Responsible Government in the Dominions*, Vol. 3, p. 1112.

²Italics not in original.

As a result of this despatch, it was decided to replace the former joint address by one which would fittingly express the thanks of Nova Scotia for the abandonment of the convention. The following address was therefore sent to the Imperial government:¹

May it please your majesty:

We, your majesty's dutiful and loyal subjects, the legislative council and house of assembly of Nova Scotia, beg leave to thank your majesty for a despatch of your majesty's principal secretary of state for the colonies, under date of the 26th of March last, addressed to the governor of Newfoundland, in reference to a projected treaty between your majesty's government and the emperor of the French, on the subject of the fisheries of Newfoundland, a copy of which despatch has been officially transmitted to the lieutenant governor of this province. The assurance contained in that despatch that your majesty's government will adhere to two principles, namely "that the rights at present enjoyed by the community of Newfoundland, are not to be ceded or exchanged without their assent, and that the constitutional mode of submitting measures for that assent is by laying them before the colonial legislature" and also the declaration that "the consent of the community of Newfoundland is regarded by your majesty's government as the essential preliminary to any modification of their territorial or maritime rights" afford us unfeigned gratification.

We participate with our sister colony of Newfoundland in the satisfaction resulting from the abandonment of a treaty, which, in both colonies, has been regarded as prejudicial; and we see in the despatch considerations of yet higher moment. The doctrines it avows are equally applicable to the territorial and maritime rights of Nova Scotia as of Newfoundland; and the unreserved declaration, that by these principles your majesty's government has been, and will continue to be guided, we receive as defining and establishing a fundamental element in the colonial relation of great importance.

And we your majesty's loyal subjects, offer our grateful acknowledgement as well for the manner of the recognition as for the intrinsic value of the principles avowed.

NORMAN McL. ROGERS

¹Nova Scotia Journals, 1857, p. 327.

THE CANADIAN CIVIL SERVICE, 1867-1880

THE SPOILS SYSTEM AND THE BEGINNINGS OF REFORM

THE first part of Canadian civil service history extends from the Civil Service Act of 1868 to the Royal Commission of 1880, which preceded the second Civil Service Act. This period included those years when political influence and partisan considerations were almost the sole motives in making appointments and removals, with the result that the country was gradually approaching the American spoils system. Fortunately, the example of the United States was sinister enough to alarm the best of the Canadian politicians, and the reform movement became sufficiently strong to check the worst excesses of patronage. The reformers in these twelve years were able to accomplish very little, but they began an agitation which was to persist almost continuously for the next fifty years.

The original difficulty was the Act of 1868, which was very unsatisfactory. It made no innovations and embodied no new principles: it was a measure put through in a hurry to straighten out the confusion resulting from the Confederation. There was, therefore, no attempt to make any real improvements; and although the Act was passed as a temporary expedient, it became permanently established in the statute book. Its chief virtue was that it created a classification, and provided a rough machine by means of which the business of government could be carried on. The Act was observed by the party in power when it was convenient, and ignored by all parties when they saw an opportunity to consolidate their position in the constituencies.

The building of the Intercolonial Railway did not come under the provisions of the Civil Service Act, but it revealed the government's attitude to public office. In 1874 an investigation was made into the construction of the road, and the report discussed with uncommon frankness the patronage question. Political influence was the cause of a "very great redundancy of staff and the employment of many incompetent men." Employees were frequently insubordinate because they knew their members of

parliament would keep them in their positions. Inefficient men were foisted on the engineers with no other qualification save their political services, and would expect and demand promotion on the same grounds.¹

Appointments in the civil service proper were made for the same party reasons and rarely for any other. The independent *Canadian Monthly* gave a bitter account of the chief qualities necessary to secure a position:

Appointments to the civil service are theoretically supposed to be based on individual competency; they are, in fact, the rewards of political subserviency. Industry and intelligence ought to ensure promotion in a steady and unbroken order as occasion occurs; in practice, however, there exists a system of purchase less defensible than that which Lord Cardwell abolished in the army. The price of a commission in the government service is the free exercise of a glib tongue, deftness in canvassing, unscrupulousness in everything. Serve the party day and night, secure us an electoral triumph by fair means or foul, and you shall be quartered for life on the public treasury, is the bribe held out to those who would live at ease. . . . The crowd of nondescript, and scarcely reputable, politicians who hover about at pic-nics and declaim at drill-shed "demonstrations" are the stuff of which, under the party system, public servants are made. To the well-informed, trained and experienced member of the service there is little chance of advancement when one of these gentry stands in his way. The latter has paid his price for the office, the former has not; this one has "faithfully served his party", and should be recompensed, the other has merely deserved well of his country, which has no means left of rewarding him.²

No one has ever accused Sir John A. Macdonald of an excess of political morality or of expecting too much of his associates, and this culpable tolerance may partially explain the complacency with which he regarded the operation of the Act of 1868. But even he was compelled to admit some difficulties:

It was quite true that the civil service was not worked with that completeness here that it was in England, but there was a very close and satisfactory approximation to it. . . . His experience had been that the government had less trouble in carrying on the whole administration of the affairs of the Dominion than they had in arranging the contested claims of public servants. . . . When the first Bill was introduced a great many persons said that it

¹*Canadian Monthly*, Nov., 1874, p. 455.

²*Canadian Monthly*, Nov., 1876, p. 443. Cf. *Ibid.*, May, 1875, p. 448.

could not be worked at all from the pressure that would be brought on the government of the day by their political supporters and others who had been accustomed to the old system. But by degrees it was approaching perfection. . . . It was true the rules were not carried out literally. Sometimes the pressure was so great that the government might commit a breach of the provisions, but they were exceptional cases. He could say positively that since the present Act had been in operation a very great improvement had taken place in the civil service. The strictness of its provisions assisted members of parliament in resisting undue pressure from their supporters. When persons who from age or incapacity of any kind had no right to expect an appointment applied to them, they could point to the Act and say that they would help them if they could, but that the law prevented it. In time he thought the Act would be carried out as fully and faithfully as it now is in England.¹

It can be seen that Sir John's ideas as to what constituted a good civil service were far short of perfection. The Act was useful as an aid to dodge those who were tactless enough to remember election promises. He considered that party support was the indispensable condition to appointment, and had little sympathy for idealistic attempts to alter it. "Every government," he said in 1878, "selected for the civil service their own friends, and no one could object to it."² There is little wonder that Goldwin Smith wrote a few years later: "Sir John is disappointing. . . . He cannot resist the solicitations of partizans, except perhaps in the case of judicial appointments, in regard to which his best sentiment is peculiarly romantic."³

Dismissals from the service for party reasons became more and more common. The period from Confederation to 1880 saw two changes of government: Macdonald resigned in 1873, and the Liberals were defeated in 1878. On each occasion changes in the personnel of the civil service followed closely the new party's accession to power.⁴ The custom of pre-Confederation days, that political partisanship would justify removal, was carried out

¹*Can. H. of C. Debates*, April 26, 1872, pp. 180-81. For a criticism of the Act, cf pp. 179-87.

²*Ibid.*, April 27, 1878, p. 2229.

³Smith, Goldwin, *Correspondence*, p. 128; cf. Pope, J., *Sir John Macdonald*, II, pp. 73-75.

⁴*Toronto Mail*, April 16, May 8, 14, 19, 1874; *Can. Sess. Pap.*, 1873, No. 29, 1878, No. 76; *Can. H. of C. Debates*, Feb. 16, 1877, pp. 88-93; Feb. 22, 1877, pp. 204-47; March 19, 20, 1879, pp. 550-610.

with efficient thoroughness. And it was easy to excuse such dismissals. The original appointment had been poor, the office-holder had loyally worked for his benefactor, and there was an applicant clamouring for the position. Alexander Mackenzie stated in Parliament that "the government had been obliged to exercise a great deal of forbearance when officials had been appointed for purely political reasons without any regard to their fitness for office."¹ A couple of years later he said: "I have known, under the old government, a public officer occupying a high position taking the course on a public platform of advocating the cause of the government of which he was a servant."² These cases gave the opposing party no alternative but removal; the trouble was that the subsequent appointment was apt to be no better than the earlier one.

Each political party when in power expected the civil servants all over the country to support it and to work against the opposition. Each party accused the other of having dictated to the office-holders the way they should cast their votes.³ Telegrams from cabinet ministers were cited in parliament, which stated that the public servants should not work against the government, and implied that they were expected to support it.⁴ Mr. Huntington, a prominent member of the administration, said that no objection could be raised to government officials interfering in provincial politics, so long as the service did not suffer.⁵ Nine years later Sir Charles Tupper propounded the rather startling view that, though no public officer should be allowed to oppose the government of the day, he had "a perfect right to take an active and open part" in supporting it.⁶ This was equivalent to saying that the civil servants might be partisans, provided they supported the government, and not the opposition. One conclusion seems to be unescapable: both parties were equally culpable, and expected their appointees to use all the influence they could command to win the election.

It is evident that Canada was only one step removed from the spoils system, which had entered the United States in 1829 and did not begin to be checked until 1883. There were four essentials

¹*Can. H. of C. Debates*, Feb. 23, 1875, p. 294.

²*Ibid.*, Feb. 16, 1877, p. 91.

³*Ibid.*, April 26, 1878, pp. 2215-19; April 27, 1878, pp. 2227-47.

⁴*Ibid.*, pp. 2238-40.

⁵*Ibid.*, pp. 2231-32.

⁶*Ibid.*, May 31, 1887, p. 661.

to a thorough application of the idea: tenure of office was strictly at pleasure, appointments were given primarily for party service, officials were to work for the appointing party, and wholesale dismissals followed a change of government. Canada had accepted the second of these principles unreservedly, and the third had been defended and expected by both parties. As to the first, the legal position of all offices was at pleasure, though custom before Confederation had interpreted this as meaning during good behaviour, provided the civil servant did not take an active part in politics.¹ But as partisan appointments became more flagrant, and as governments exerted more pressure on their employees for open support, it became increasingly difficult for the civil servant to abstain from party contests. The result was that his tenure during good behaviour was frequently forfeited. This in turn led to the fourth characteristic of the spoils system, dismissal on a change of government. If the party in opposition were successful, it naturally removed all those who could be convicted of open hostility or gross inefficiency.

Some members of parliament, intoxicated with the election of 1878, declared themselves unequivocally in favour of a partisan service. It was stated in the House that "the whole election was run on the question that 'to the victors belong the spoils'."² Another member frankly expressed his preference for the American method:

The hon. member for Sheffield had charged the government with endeavouring to introduce the American system that "to the victors belong the spoils"; he wished that the charge so far as it would affect the province that he represented was true. All that he could say was, that he had been endeavouring to have certain political opponents dismissed from office, but had not as yet succeeded.³

The growth in popular favour of the idea of wholesale removals was commented on a few weeks later in the House:

If the present government had not distinctly initiated the American system of dismissing their political opponents, they had at least dismissed a great many—an unusually large proportion of them. . . . But even more significant than the mere number was the fact that members of this House had been found, for the first time, prepared to stand up here and demand the introduction

¹*Canadian Historical Review*, June, 1924, pp. 123-30.

²*Can. H. of C. Debates*, March 19, 1879, p. 554.

³*Ibid.*, p. 553.

of the American system—demand the dismissal of all those who were opposed to them at the late elections, and the substitution of their political friends.¹

In spite of all this, it would be wrong to assume that Canada had a spoils system in the American sense, though the application of the dictum of Sandfield Macdonald that "we must support our supporters" was fast leading in that direction. The customary tenure during good behaviour was still recognized as a barrier, but it was beginning to crumble under attack. Although the government could and did fill offices with its supporters, vacancies were not created with the thoroughness that characterized the Jacksonian democracy and its successors. "Rotation in office" was adopted in the United States as a principle and a right, but it never attained such a dignity in Canada. Rotation never became an end in itself or a political virtue about which to boast.² When removals from the Canadian service occurred they were made somewhat furtively: the onus of proof always rested on the government to justify its action. Mackenzie, when prime minister, went so far as to say that the government "endeavoured to act upon the principle that no person should be dismissed for political reasons, unless he was charged with something else that would afford a proper reason rather than an excuse for his dismissal."³ It is scarcely necessary to add that his opponents did not credit him with such forbearance, but his actions and his attitude were not those of an American spoilsman.

Inefficiency in the service was increased with each change of government, and the cause was a political patronage that was fast losing its sense of proportion. The spoils system was fended off by the "good behaviour" tradition and the moderation of the party leaders, but both were showing signs of wear. The example of the United States appealed to some, but it alarmed and repelled others. The better element in Canada saw in the spoils system a grave warning against the whole idea of patronage, and the civil service of Great Britain furnished an incentive for reform. For the next forty years the British example was the most important single influence in the reorganization and improvement of the Canadian service.

The honour of first pressing for civil service reform belongs to

¹*Ibid.*, April 16, 1879, pp. 1269-70.

²E.g., Jackson's first annual message (J. D. Richardson, *Messages and Papers of the Presidents*, II, p. 449).

³*Can. H. of C. Debates*, Feb. 16, 1877, p. 91.

George Elliot Casey, a youth returned to parliament in 1872 at the early age of twenty-two. In 1875 he began an intelligent and persistent agitation to improve the service along the lines suggested by the Northcote-Trevelyan Report. In that year he introduced a motion for a committee of the whole House to consider the Act of 1868 and the advisability of substituting a system of open competitive examinations. The motion was withdrawn on the suggestion of the prime minister that it was premature to ask for a committee when the question had never been discussed before.¹ Two years later Mr. Casey resumed the attack, and succeeded in obtaining a select committee, with himself as chairman, to investigate the subject and make recommendations for improvement.²

Mr. Casey's opinions on reform are given in his speeches noted above, but a more complete and systematic exposition is found in an article which he wrote for the *Canadian Monthly* of January, 1877.³ Briefly, he advised the adoption of the British system with minor variations to suit Canadian conditions.⁴ Two qualities, according to the article, were needed in a civil servant: he must be efficient, and he must be patriotic and quite impartial, owing allegiance to no party or person, but only to the state. Neither of these requirements was obtained under patronage. The idea that ministers and members of parliament were politically responsible for dispensing public positions, Mr. Casey dismissed as "a mere phantom of responsibility": they could not possibly be cognizant of the personal qualifications of all those whom they nominated for office, nor could they be trusted to recommend persons except for party and other irrelevant reasons. Not only appointments, but promotions, dismissals, and pensions were affected by the patronage evil to the detriment of others in the service who were more deserving. He cited the disastrous results of the spoils in the United States, pointed to the improvement which had accompanied reform in Britain, and urged that Canada should follow the latter:

The service should be looked upon, not as a means of rewarding friends, but simply as an organization for the transaction of public business, and as such should be conducted on "business principles". The field of selection for its ranks should be made as wide as possible.

¹*Ibid.*, March 15, 1875, p. 715; cf. *Ibid.*, pp. 708-15.

²*Ibid.*, March 14, 1877, pp. 696-98. *Ibid.*, March 21, 1877, pp. 893-901.

³"Civil Service Reform", pp. 83-91.

⁴Open competition had been introduced in Great Britain in 1870.

Every consideration except character and ability should be disregarded, both in first appointments and subsequent promotions. In short, the service should be made a profession, offering as great attractions in pay and consideration combined as any other. . . . This ideal may not be at once attainable, but it should be the object of every change in the organization of the service.¹

This quotation indicates how thoroughly Mr. Casey had accepted the Northcote-Trevelyan Report. A more detailed study of his recommendations confirms this. He advised that the service be recruited by competitive examinations, preceded by qualifying examinations, which were to be open and competitive and the object of which was to reduce the number eligible for the more difficult test. The service was to be divided into a higher and a lower division, the latter holding office at pleasure and drawn from those who had passed the easier examination, the former being permanent and taken from the most successful candidates writing the difficult one. All appointments were to be provisional for one year. The duties of the service were to be divided so that mechanical work would be separated from that requiring special ability or skill, and this was to correspond (apparently) with the twofold division of clerks noted above. Examinations and appointments were to be supervised by civil service commissioners, consisting of heads of departments (presumably deputy heads) and others specially appointed.

The report of the Select Committee of 1877² was a rude shock to those who had been so unsophisticated as to believe with Sir John A. Macdonald that the service "was approaching perfection." The Committee found that patronage was the guiding principle of the whole organization, particularly in the making of appointments and promotions. In the Department of Marine (Outside Service), for example, on December 31, 1876, out of a total of 1,596 employees at least 1,350 were appointed on political nomination:³

In the Outside Service, with the exception of the Inland Revenue Department and the engineering branches, the exercise of political patronage seems to be almost unchecked. . . . Employees remain as a rule in the positions to which they are first nominated, vacancies being filled by new appointments from outside the service, made, as usual, by political influence. . . . In the Customs and Post Office Departments . . . all the prizes go to outsiders, and those

¹*Ibid.*, p. 87.

²*Can. H. of C. Journals*, 1877, Appendix No. 7.

who enter in the lower grades have no prospect of promotion as a reward for their ability or zeal. . . . In the Inside Service a system of promotion is practised on the basis laid down in the Act, but with frequent suspensions and violations arising from political causes.¹

It may be wondered why this flow of patronage had not been stemmed by the Civil Service Board applying the examination provisions of the Act of 1868.² The evidence taken before the Committee was quite explicit on this point. The chairman of the Board said that candidates were not examined as a rule until after the appointment had actually been made; in most cases there was no examination at all, and if a candidate happened to fail he was given a second chance. The Board examined all who presented themselves, but in 1875 none appeared, and in 1876 only one:

The majority of nominees do not come before us. Only 72 have been examined by us since [the] Act of 1868. Those rejected do not bear a large proportion to those who pass. Two or three were rejected and tried over again, and only one was finally rejected. . . . The examination is only useful in excluding those who are utterly ignorant and entirely unfit for the service. . . . Any boy of 13 should be able to pass it. It is not nearly as severe as the entrance examinations of High Schools. We do not necessarily receive notice of any appointment. Any number of appointments might be made without our knowledge. We have no power to compel nominees to be examined. We have often represented to the government that the law has not been complied with in regard to examinations. Appointment before examination is a violation of the Act. The Act applies in terms to both Inside and Outside Service, but the organization for the examination of the Outside Service, as provided by Section 2 of this Act, has never been carried out.³

The subjects of examination were penmanship, spelling, writing from dictation, and arithmetic, as far as vulgar fractions. Any or all of seven optional subjects might be taken if the candidate desired.⁴ In making appointments no attention was paid to the standing made at the examination, and "any person scraping

¹*Ibid.*, pp. 53-54.

²*Ibid.*, pp. 3-4. Cf. Evidence, p. 15.

³The Act of 1868 provided that all candidates should pass an examination given by a Civil Service Board, composed of all deputy heads of departments.

⁴*Can. H. of C. Journals*, 1877, appendix No. 7, p. 18.

through it all is in as good a position as any other, no matter how good."¹ The Board was very rarely asked to determine special qualifications of men appointed to higher positions.² All these open breaches of the Act and the half-hearted application of some of its provisions made a mockery of the examinations, or, as a member of parliament put it, "the examination did not trouble, to any great extent, the slumbers of any candidate for office."³

The Select Committee also reported that promotions, when not dictated by political considerations, were made slowly and by seniority, with the natural results that any stimulus to work was removed.⁴ Inefficient and even insubordinate employees were kept on the staff because they had influence with their party.⁵ The Committee concluded from all the evidence "that the condition of the civil service has not been, and is not, satisfactory; that many of the most important provisions of the law in respect thereof have been systematically violated; and that that law is, in many particulars, insufficient to secure the highest efficiency of the service."⁶

The recommendations of the report went immediately to the source of the trouble by advising a strict open examination, administered by a commission composed of men outside the service, supplemented by a term of probation. Final appointment was to be made by another more severe and competitive examination or by personal selection by the commission.⁷ The other suggestions as to a twofold division of the service and staff followed the same lines as had been advocated by Mr. Casey.⁷ Parliament, however, took no legislative action on the proposals, and the general election was held the following year.

The return of the Macdonald administration in 1878 led to so many dismissals from the service that the situation was felt to be intolerable. Lord Dufferin, shortly before relinquishing the governor-generalship, sounded a warning against the growing abuses:

It is necessary that the civil servants should be given a status

¹*Ibid.*, p. 23.

²*Ibid.*, p. 19.

³*Ibid.*, p. 21.

⁴*Can. H. of C. Debates*, March 21, 1877, p. 895.

⁵*Can. H. of C. Journals*, 1877, Appendix No. 7, pp. 4-5. Cf. Evidence, p. 26.

⁶*Ibid.*, p. 4.

⁷*Ibid.*, p. 5.

¹*Ibid.*, p. 5.

²*Ibid.*, pp. 6-7.

⁷Stewart, G., *Canada under the Administration of the Earl of Dufferin*, pp. 653-59.

regulated by their requirements, their personal qualifications, their capacity for rendering the country efficient service, and that neither their original appointment nor their subsequent advancement should in any way have to depend upon their political connections or opinions. The independence thus conceded to the members of the civil service imposes upon them a special obligation, namely, that they should serve their successive chiefs—no matter to which side they may belong—with a scrupulously impartial zeal and loyalty.¹

The caution was well timed, for it was during the next few years that the extremists began clamouring for a genuine spoils system.² An anonymous cynic of the period defined appointments as "political stock in trade, of which the supply is never equal to the demand. Political promissory notes with a large circulation, supposed to be payable on demand, but in point of fact irredeemable."³ Some change in the service was imperative if for no other reason than that given by another contemporary, that "the permanent conviction had forced itself upon the party members that there was not room for the entire male population of the country in the civil service", and the embarrassment caused to the member of parliament "who has only one vacancy and eleven hundred applicants."⁴

The arguments of the indefatigable Mr. Casey fell, therefore, upon willing as well as deaf ears. He introduced a "Public Service Reform Bill" in 1878, 1879, and 1880, though with no greater success than a second reading. He had the satisfaction, however, of having a Civil Service bill mentioned in the Speech from the Throne in 1880;⁵ and later in the year the prime minister announced that although it had been drafted by the government, pressure of business had caused its postponement.⁶ On June 16, 1880, a royal commission was appointed to consider the condition and needs of the civil service. This body, in two lengthy reports,⁷ stressed the many abuses of the service, and put forward proposals which were, in the main, a copy of those of Mr. Casey. But the government, and probably the country also, thought the suggestions too revolutionary, and the Civil Service Act of 1882⁸

¹Cf. *supra*.

²*Manual for Public Men*, 1881.

³Collins, J. E., *Canada under the Administration of Lord Lorne*, p. 211.

⁴*Can. H. of C. Debates*, Feb. 12, 1880, p. 3.

⁵*Ibid.*, April 28, 1880, p. 1830.

⁶*Can. Sess. Pap.*, 1880-81, No. 113.

⁷*Ibid.*, 1882, No. 32.

⁸*Can. Stat.*, 45 Vic. c. 4.

was a compromise between complete reform and the old methods. This Act, however, like the American one of the following year, marked the first definite step away from the system of unrestricted patronage.

R. MACGREGOR DAWSON

NOTES AND DOCUMENTS

KIRKE'S MEMORIAL ON NEWFOUNDLAND

BY royal patent of 1637 Newfoundland was granted to a proprietary group, of which the Marquis of Hamilton was head, and of which Sir David Kirke was a member. The new proprietors selected Kirke as governor of their colony. He reached his new post in 1638, beginning a long tenure of office which, so far as can be judged by the scant evidence extant, was marked by firmness and good sense. Proprietary control of the fishing harbours was steadily opposed, however, by the fishery interests of western England. From time to time complaints from this source came to the English government. Kirke was in office when the parliamentary wars began. During the struggle he held to a neutral attitude, but he was believed to have royalist sympathies. As the royal power waned, Kirke's opponents renewed their attacks upon him. Eventually their efforts were successful. In April, 1651, the Council of State at London recalled Kirke to England and appointed commissioners to take control of the colony. Kirke's memorial refers resentfully to the manner in which the Council's orders were executed. The governor seems to have arrived in England about August, 1651. In October he was at London, trying to get a hearing.

The governor's opponents had scored their point when they had attained his expulsion from the colony. If there were any serious charges against him, they were not pressed. Not until early in January, 1652, was the Council of State impelled to order his appearance for official inquiry. On January 29 the Council required of him a bond for detention in England. This date seems to have marked the cessation of any pretence at prosecution for alleged misconduct. Nevertheless the restrictions upon him were maintained. In January, and again in April, Kirke filed petitions with the Council, which were duly sent to committee, and which seem to have slumbered there. By April the annual fishing season was well advanced. The governor, hoping to return to his post, was in daily attendance upon the Council to obtain release before the season should close. To aid his suit he filed the

memorial here printed. On the reverse of the document is the clerical endorsement, "Petition and remonstrance of S^r David Kirke. 5^o May 1652," which presumably indicates the time of its presentation to the Council. The Council seems to have sent it to its committee on foreign affairs. Subsequent council orders in June indicate that conditions were changing in Kirke's favour, but at this juncture his struggle with the fisheries interests was superseded by a more insistent difficulty.

Cecil Calvert, Lord Baltimore, had inherited claims on Newfoundland. The recall of Kirke inspired him to formulate a claim that Kirke had violated prior rights of the Calverts by holding possession of the colony. His claim was in course of advancement as early as June, 1652. Calvert evidently obtained from the clerk of the Council a loan of Kirke's memorial, and just as evidently he kept it in his possession, for it is now among the Calvert family papers forming a part of the collections of the Maryland Historical Society, at Baltimore, Maryland. By permission of the Society, the following transcription of the memorial and its accompanying petition has been made.

LOUIS DOW SCISCO

[Transcript.]

To the Right hono^{ble} the Councell of State

The humble petition of S^r David Kirke

Sheweth

That the power of yo^r Hono^{rs} havinge bene engaged ag^t him by meanes of the enumerated callumnies of his adversaries, even to his ruine, he is constrained to reiterate his complaints And multiply his appeales unto you and that with earnestness, and humbly to beg the timely iustice of yo^r Hono^{rs}

That the expiration of ten or 12 dayes more without a settlement of the most materiall affaires of Newfoundland; and the affordinge unto yo^r pet^r the benefitt of yo^r iustice, will tend to the unexpressible detriment of the Nation, and the enevitable ruine of himselfe and relations, the reallity and reason whereof is clearely and truly manifested in the annexed Remonstrance w^{ch} in all humility is tendered unto yo^r serious and timely consideration

May it therefore please yo^r Hono^{rs} to examine the truth of the particulers contayned therin and to proceede thereupon as the iustice and necessity of the case shall require

For which he shall pray,

DAVID KIRKE

The humble Remonstrance of S^r David Kirke kn^t p^rsented unto the serious consideration of the Right honorable the Councill of State.
Right hono^{ble}

That while he was absent in Newfoundland many great and heynous crimes were laid to his charge is notoriously visible: but since his voluntary appearance and dayly attendance to receive and answer their enumerated calumnies, for the space of about ten moneths yet hath not his accusers brought any legall charge ag^t him, or proved him to be either disaffected to the State, or to have comitted any crime that might meritt the disfavours of yo^r Hono^r

That yo^r Remonstrant hath iust cause to feare that his adversaries by their said callumies design unto themselves the accomplishment of another end then by them publicly pretended, for that he can see no reason why severall Westcountreymen should enter into a combination & leavy mony upon shares proportionably to support one Walter Sykes a person pretending service to the publique and by yo^r honours employed as a Comissioner, who hath avowedly declared that his engagement in the said service was only to enable him to obtaine the ruine of yo^r Remonstrant and the Plantation in Newfoundland, especially now findinge that he is not so much prosecuted as the right and comodity of the contynuanee of the Plantation disputed, and by what meanes or for what reason to him unknown the time soe delayed as that the neglect of ten or 12 days more will occasion a losse of this summers imposition, and a discession thereof

Now for that yo^r Remonstrant conceiveth himselfe obliged to take the most effectuall course to lett yo^r Hono^r know yo^r enterest & the opportunity of emprovement thereof, and not to suffer generall suggestions relatinge only to his pticular to be made use of to spin out the time beyond recovery which he conceiveth to be the designe of his adversaries.

He is humbly bold in this way & by this meanes so to state the case, that maugre all obiections yo^r hono^r & all parties however concerned may be enabled to iudge betweene his accusers and him to whose iustice he appeales and on whom he depends, begginge no other favour, but that by a timely consideration the p^rjudice of the publique may be prevented, and then he doubts not but in due time to wipe of all the dust of obloquie cast upon him

The first question in issue is whether yo^r Remonstrant hath bene convict of any crime, as disaffection, Breach of trust to the Parliament or the like, that may meritt either imprisonment or confiscation and seizure of his and his frinds estates

But he is not convict of any such crime, and therefore is necessitated to complaine, that Walter Sykes beinge a Comissioner employed by yo^r Hono^{rs} should without producement of any order seize his and frinds estates in Newfoundland, and publiquely declare him his prisoner and brought over to be tryed for his life and the like, to the ruine of him and his relations in their credit & commerce, and that notwithstandinge severall petitions to yo^r Hono^{rs} declaringe the said goods to a great value perishable, he can obtaine no order for disposall thereof

And if it be objected (as it is frequently suggested) that there are many great complaints ag^t yo^r Remonstrant, and that a charge of an high nature may or wilbe exhibited It is answered that yo^r Remonstrant remayneth in England and hath given 40000 ll &c security to answer any such charge, & therefore hopeth that upon supposition of what may be he shall not be condemned and executed by the detainer of his estate, but that he shall upon consideration of the p^rmisses have fredome to dispose of the same

The second question in issue (as affaires now stand) is whether it be conducible unto the encrease of the enterest of the Comonwealth to continue the plantation & imposition &c In answer whereof I shall incert these followinge pticulars and humbly submitt them to yo^r Hono^{rs} consideration

- 1 England hath a priority of Right in point of discovery and <sup>Discovered
A^o 1497.</sup> possession.
- 2 Since the discovery the Magistracy and Councell of the Nation have from time to time successively found iust cause to graunt Pattents for the more peculiar appropriatinge the said Plantation
- 3 The encouragements thereunto were as followeth viz: the good use of the land for tillage and pasturage, the plenty of Deere, Beares, Bever Otters and the like, the Countrey habitable, large as England, furnished with multiplicity of admirable harbours, plenty of wood, Timber for mastinge of smalle shipps: Pitch, Tarr, Frankincense, Turpentine &c
- 4 The Conveniency beinge the neerest plantation and not above 15 dayes sayle, a safe passage Free from Rocks shoals or Sands, transportation att a Third of the charge expended to other plantations, and if as many people did enhabitt there as in England, by two yeares industry they might receive a greater emprovement then in Six yeares in Virginia or New England, and in a few yeares become more considerable to England then ever Ireland was yett, there being no likelyhoode of charge, but a certainty of advantage,

besides a great probability of advantage by Mynes, which by the encrease of the Plantation may be discovered

- 5 The Nationall advantages, Newfoundland beinge the greatest Nursery of Marriners in the world, there beinge annually thousands taken from the plough &c and employed in Fishinge and become very able seamen in a short time
- 6 The most advantagious Fishinge, there havinge bene annually employed nigh 300 sayle of English shippes and above 500 sayle of Bis^{ners} and French, and were there thrice the number they might be employed and find a plentifull encrease of their labours.
- 7 The advantages accrewinge therby occasions the necessity of an effectuall and peculiar appropriation & possession, for the eyes of all Nations are upon itt and are ready to take any opportunity and should the French Dutch or any other Nation gett possession of the land, yo^r fishinge were totally destroyed, no fish being to be cured without it, And the harbours being Naturally formidable if fortified it would be a vast charge and great difficulty to reduce itt, whereas if contynued and encreased you may as reason of State directs give a law in point of Fishinge to all Nations—particularly there doth by the contynuanee of the said plantation accrew unto the Comonwealth & the members thereof a threefold advantage.

1 A Considerable Revenue

2 An annuall owninge and subiection by all other Nations

- 3 Our Natives Tradinge by mea nes of the imposition paid by strangers are greatly advanced in their marketts being able by their Freedome to undersell the stranger, by w^{ch} meanes our english trade will be encouraged & encreased, and strangers discouraged, and if Ten in the hundred were imposed, it were much lesse then is imposed by
The Duke of Medina Sodoian in Spaine & severall other Princes other Princes and Nations

And it may be further added and upon examination will appeare that no Native of England can receive any considerable advantage more then they now enjoy by the discertion thereof, but if discerted the p^rjudice of the Comonwealth cannot be imaginable, wherefore it is hoped that accordinge to that ancient and iust maxime itt will be iudged b^{etter} to submitt to a pticuler inconvenience (if any be) that may by good orders for the future be lessened, then to a Nationall mischeife w^{ch} if not prevented cannot without great difficulty charge and hazzard be redressed

The fore mentioned p^rmisses considered it is humbly offered and submitted

- 1 That in respect the Fishing season is at hand, the Convoy gone, and the sacks p^rparing to go within ten or 12 dayes which if gone this summer is lost, That Comissioners may be empowred and sent immediatly to leavy the imposition and examine the affaires of the said Plantation & make report thereof unto yo^r hono^r^s And that Walter Sykes may give an account of the last yeares imposition.
 - 2 That yo^r Remonstrant being convict of no crime and havinge given 40000 ll security to answere whatever shalbe objected ag^t him, for w^{ch} end he remaynes in England, that he may have liberty to dispose of his and Frinds estate in Newfoundland, a great part whereof is perishable if not disposed of this season, and that his accusers if they have any thinge to lay to his charge may produce itt and make legall prooffe thereof.
- That havinge accordinge to the dictates of his Conscience and Reason as in the p^rsence of the All seeinge God and as far as in him lyes made a discovery of the truth of his case and the Comonwealths enterest in Newfoundland, together with the necessity of takinge the p^rsent opportunity for the Contynuanee and enprovement thereof, he doth in all humility and reallyty of affection cast himselfe and it upon the iustice of this hono^{ble} Councell, remayninge satisfied with whatever shall succede hereupon in that he hath acquitted himselfe And if for want of a timely and due emprovement by meanes of such generall pretensions the Comonwealth suffer detriment therein, he doubeth not but by yo^r hono^r^s iustice to stand iustified, he havinge no other end or design but to manifest his integrity and emprove his uttmost abilities for the advancement of the honour and enterest of the Comonwealth and yo^r Hono^r^s.

DAVID KIRKE

REVIEWS OF BOOKS

The Roots and Causes of the Wars (1914-1918). By JOHN S. EWART.
Two vols. New York: George H. Doran. 1925. Pp. xxxiv, 1204.
(\$12.00.)

THE problem of determining the relative responsibility of the Great Powers for the World War has provoked keen interest. Thoughtful men have been eager to study dispassionately the causes of the greatest conflict in history. Nor have there been lacking materials on which to form a judgment. Since the armistice, there has appeared from official sources an astonishing amount of evidence for the study of the European scene before 1914; and we know now probably more about the factors causing the war of 1914-18 than any past generation knew of its triumphs or defeats.

The German government has published the Kautsky documents, the report of the Reichstag committee of inquiry into the negotiations of July, 1914, and a monumental collection (to be completed in thirty-six volumes) of German archives from the Foreign Office—*Die grosse Politik der Europäischen Kabinette, 1871-1914*. The Austrian Republic has published the full texts of the Triple Alliance and a Red Book in three volumes containing a complete account of Austrian negotiations after the murder of the Archduke. From the Russian archives have come collections of documents published by Soviet leaders or selected authors or pre-war governmental officials. Pokrovsky published numerous documents in the *Pravda* and *Isvestia*; Marchand *Un Livre noir* on Franco-Russian intrigues from 1911 to 1914, which was supplemented by the Russian Blue Book; and B. R. Siebert has issued *Entente Diplomacy and the World War*—documents secured in the Russian Embassy in London between 1907 and 1914. Von Romberg has shown the falsifications in the Russian Orange Book; Schilling has produced the Foreign Office journal, Hoeniger and Frantz the mobilization telegrams, and Stieg the correspondence of Isvolsky. As early as 1919, Laloy was able to publish a collection of secret documents. The Belgian Foreign Office's reports from its ambassadors in the Entente capitals were disclosed by the German government during the war; and selections were published in E. D. Morel's *Diplomacy Revealed*. While many of these

despatches were merely diplomatic gossip, they were a useful comment upon the atmosphere in the various capitals. The French government published a Yellow Book on Franco-Russian relations since 1891, and gave Bourgeois and Pagès access to many unpublished documents for their book *Les origines et responsabilités de la Grande Guerre*. Sir Charles Oman was allowed a similar privilege by the British government in 1919 for his *Outbreak of the War*. At the present time Gooch and Temperley are editing a collection of British documents on the war for publication. Yet in spite of all these disclosures, the Russians have still much to offer, and the British, French, and Italian governments are far behind the Central Powers in their revelations. To the victors belong the spoils—and secrecy as well.

With memoirs, diaries, correspondence, and reminiscences the student of war origins has been almost overwhelmed. For obvious reasons, the Kaiser and the Crown Prince have been alone among royalty in publishing war books. Among prime ministers, Asquith, Poincaré, Bethmann-Hollweg, Giolitti, and Witte have written *apologia*, which have added little to their reputations. Lord Grey, Viviani, Sazonov, and Jagow have attempted to vindicate the policies which they pursued while in charge of their respective Foreign Offices. Other cabinet ministers like Haldane, Churchill, Loreburn, Morley, and Lloyd George of the British cabinet in 1914, or Messimy, Take Jonescu, Djemal Pasha, and Jovanovitch of European cabinets have contributed their quota. The most assiduous workers have been the ambassadors, Buchanan, Paléologue, Pourtalès, and Georges Louis of St. Petersburg, Dumaine of Vienna, Schoen, Bertie, and Isvolsky of Paris, Lichnowsky, Eckhardstein, and Page of London, Rosen of Washington, and Czernin of Bukharest. From the military and naval leaders have come important revelations of pre-war tactics: the books of Fisher, Moltke, Tirpitz, Conrad Von Hötzendorf, Sukhomlinov, and Dobrorolsky.

The best work in untangling the twisted threads of pre-war intrigues has been done by scholars who were not active participants in the game of diplomacy. The books, articles, and reviews of Gooch, Morel, Oman, Miss M. E. Dunham, and Beazley in Britain, of Fay, Barnes, Schmitt, Bausman, Langer, Hayes, Earl, Seymour, and Beard in the United States, of Montgelas, Valentin, Haller, Brandenburg, Rachfahl, Lutz, Stieve, and Hammann in Germany, of Pribram, Kanner, Gross, Szilassy, and Andrassy in Austria, of Fabre-Luce, Renouvin, Morhardt, Demartial, Lazare, Victor Marguerite, Bourgeois and Pagès, and Pevet in France, of Bogitschevitch and Stanojevitch in Serbia, of Kofpr in Russia, and of Tittoni and Nitti in Italy have given us an extraordinary amount of information and argument that have helped to clarify the

situation. Naturally, among so many writers of so many countries there have been widely divergent views expressed on the question of war responsibility, varying with the nationality of the writer, his political affiliations and connections and the amount of material available when writing his book. Each year a new criminal has been branded and denounced for causing the war, but still the search continues. At various times the Kaiser,¹ Berchtold, Conrad Von Hötzendorf, Poincaré, Isvolsky (who boasted in 1914, "C'est ma guerre"), and Pasitsch have been charged, but the verdict still remains—not proven. Perhaps one of the strongest cases has been made against Poincaré by an able group of French writers. They charge that he deliberately encouraged Russia to pursue an offensive policy in the Balkans after 1912 by the assurance of French support if war were the result. They declare that it was he who, more than anyone else, nerved the Russian chiefs to carry out the fatal general mobilization on July 30, 1914. They point to Poincaré's obsession for Alsace-Lorraine as a prime factor in his policy. Himself a Lorrainer, Poincaré has frankly declared, "Dans mes années d'école, je ne voyais pas à ma génération d'autre raison de vivre que l'espoir de recouvrir nos provinces perdues." The contributing testimony of Isvolsky, Paléologue, Benckendorff, Georges Louis, and Baron Guillaume weighs heavily against him, but cannot be finally accepted until still more has been revealed. Poincaré has struck out in his own defence quite recently,² but his effort is more rhetorical than logical and does not coincide with all the facts as known to-day.

Mr. Ewart's book is chiefly a study of the diplomatic relations of the European powers since 1870, and is in accord with the ideas of the "Revisionist School". In his opening pages he declares: "The true way in which the fighting may be regarded is that based upon the previous existence of great military confederacies, ready to engage in death-grapple upon the arising of some—possibly some insignificant incident, the events of which were immaterial—Right or Wrong (as between Austria-Hungary and Serbia) was in all cases immaterial. Self-interest was the exclusively dominating factor." His treatment of the subject is unique. Mr. Ewart maintains that the Great War was in essence a series of wars among nations whom he classifies as

(1) Principals: Austria-Hungary and Serbia;

(2) Accessories: Russia, France, The United Kingdom and Germany;

¹It is interesting to read in Rhodes, *The Real Von Kühlmann*, pp. 18-19, Prince Lichnowsky's views in 1924 on the Kaiser: "William II did no more wish war than I did, although he might have prevented it had he not listened to foolish advice and had he in time realized the gravity of the situation."

²*Foreign Affairs* (American), October 1925, pp. 1-19.

- (3) Associates: Belgium, Japan, Turkey, Italy, Bulgaria, Roumania, the United States of America, and Greece.

The causes of the war are divided into predisposing causes or "roots" and precipitating causes. The roots are grouped into two divisions: natural roots (race or religious antipathy) and provocative roots, such as economic imperialism, war preparations, or "situations arising out of tendential international activities".

Mr. Ewart thinks that the natural roots have been already well discussed and concentrates his interest upon eight provocative roots: Bosnia-Herzegovina and the Balkan map as affecting Serbia, Austria-Hungary, Germany and Russia; Alsace-Lorraine as affecting Germany and France; German rivalry, German menaces in the East and West, and the Morocco and Persia root as concerning Germany and Great Britain. The imperialism and fear root is to be found as a factor in the policy of all the Great Powers. The precipitating causes are, of course, the Sarajevo murder and the failure of negotiations in July and August, 1914.

Successive chapters analyse in great detail these various "roots", and occupy the major part of the book. The chapters do not make easy reading. Documents are quoted *ad nauseam*. The pages are frequently split into small paragraphs with black-letter headings as danger signals. Of set purpose the writer deliberately restrains himself from fine writing. Like Mr. Gradgrind, he firmly believes in the saving grace of facts, and these are relentlessly hammered home in staccato fashion. Very rarely does he employ irony; when he does so, it is with devastating effect. Thus in discussing why the United Kingdom entered the war, Mr. Ewart commences:¹

"Difficulty in formulating confident answer to the question arises (1) from the irreconcilable statements of Mr. Asquith and Sir Edward Grey, (2) from the irreconcilable statements of Sir Edward Grey and Mr. Lloyd-George, (3) from the irreconcilable statements of Sir Edward Grey and Mr. Bonar Law, (4) from the irreconcilable statements of Mr. Asquith, (5) from the irreconcilable statements of Mr. Lloyd-George."

In proving his case, legal training in preparing a brief is conspicuous, and is perhaps the reason for the form and style of the book. The book consequently will be kept for reference (and as such it is invaluable), but not for pleasure in following an artistic delineation of character or brilliant description of event.

In the first thirteen chapters the author asks why the leading accessory and associate belligerents entered the war. For the Great Powers the answer is the same—self-interest. "Germany entered the war for

¹Ewart, vol. 1, p. 111.

for the same reason as actuated Russia, consideration of her own interests."¹ "France entered the war because of the wound (Alsace-Lorraine), because the hour of *révanche* had arrived, because she felt confident of her military prowess and because she deemed that her power for future menace could be secured by the chastisement of Germany."² "Maintenance of British interests was the sole reason for the United Kingdom entering the war."³ "It was solely for the purpose of acquiring territory—that Italy after many weeks of posturing on the auction block declared war on her third of a century friend."⁴ Even President Wilson's dictum on American policy is rejected. "The United States entered the war in defence of American lives and property against the operation of German submarines."⁵

While Mr. Ewart has chapter and verse for these statements, one must point out that in every instance the phrase United States, Germany, Italy, etc., as used, applies only to the small groups in control of national policy when war broke out. Undoubtedly Britain was forced into war because the coast line of Belgium was the frontier of Britain, but Mr. Asquith well knew that the people of Britain could not be brought into war solely by advancing that reason. If Belgium had not been invaded, it is difficult to foretell what would have happened. Britain might have entered the war, but as a divided nation governed by a weakened cabinet and a shattered Liberal party. It was Belgium, as we know from Lord Morley's conversation, recorded by General Morgan, that kept Mr. Lloyd George at the last minute in the cabinet. Similarly the people of the United States were annoyed at the submarine campaign, but were led into war in the hope that they might "make the world safe for democracy". It has become fashionable to poke fun at war-time speeches and to decry or deny idealism in that period of storm and stress. Yet it is difficult to over-estimate the vital part idealism played among peoples, if not among statesmen.

In his discussion of German militarism, preparedness and hopes of world-domination, Mr. Ewart has done some valuable work which is poles apart from the propaganda of the war or such academic ravings as Usher's *Pan-Germanism*. The analysis of the British guarantee of Belgian neutrality is acute and legal. On the war of 1870 as a prologue to the war of 1914 Mr. Ewart is not so satisfactory. He is inclined to stress too heavily French policy in precipitating the war. Professor

¹Ewart, vol. 1, p. 93.

²Ewart, vol. 1, p. 109.

³Ewart, vol. 1, p. 112.

⁴Ewart, vol. 1, p. 276.

⁵Ewart, vol. 1, p. 401.

Lord's *Origins of the War in 1870: New Documents from the German Archives* had not appeared when the book was written, or else Mr. Ewart's views would almost certainly have been modified. In discussing Lord's book, Professor Frayer has said: "The war guilt was heavy in 1870 on both sides of the Rhine to be sure, yet it is interesting to find that the new evidence leaves the chief responsibility exactly where we have long thought it belonged—in Prussia."¹

The chapters on Morocco, Persia, and Anglo-German rivalry are also well done. On the assassination of the Arch-Duke and the negotiations of July, 1914, Mr. Ewart is not helpful, for much of the material relevant to this section has appeared since his book was written.² In consequence he has not utilized the works of Montgelas, Fabre-Luce, or Morhardt, nor the memoirs or biographies of King Edward, Lord Grey, Von Kühlmann, Lord Bertie, Wickham Steed, and Sazonov. There are a few omissions of books that were published even in 1923. Perhaps the most striking omission is Dr. Gooch's *History of Modern Europe, 1878-1919*, the best work in English on the diplomacy of that period. The writings of Professor Fay are used only scantily in the final pages. The works of Demartial, Haller, Kanner, Dobrorolsky and Stanojevitch are not used at all. In short, Mr. Ewart has a very wide knowledge of English books on the subject and a general grasp of the French literature, but has not apparently consulted books published in German, Russian, or Italian, among which there are some important studies.

While he reproaches English historians for excessive concentration upon Germany's sins and almost complete ignorance of Austro-Serbian relations, his own account of the Sarajevo murder, the culmination of Serbian intrigue, is admittedly incomplete. He himself says, "No exhaustive exposition will now be attempted." The recent revelations of Serbian professors and statesmen, however, throw so much light upon the event and with such startling effect, that Mr. Ewart's ignorance of this evidence is a decided defect.

When Mr. Ewart discusses the question of mobilization, by which power passed out of civilian hands and the "military time-table", as Mr. Philip Kerr calls it, came into effect, his information is incomplete and in part erroneous. He could not know, of course, of Moltke's telegram to the Austrian leader, Field Marshal Conrad Von Hötzendorf, in which he advised Austrian general mobilization against Russia and promised German support. This telegram reached Conrad at 1.45 A.M., July 31, and was therefore despatched before Berlin could have known

¹*American Historical Review*, July 1925, pp. 817-818.

²Cf. Ewart, vol. 1, p. 491.

definitely of the Russian mobilization. It was sent behind the back of Bethmann-Hollweg, when he was striving for mediation, and was the occasion of Berchtold's triumphant remark, "Who rules, Moltke or Bethmann?" Mr. Ewart does not mention the unconscious encouragement given to Russian mobilization by Sir Edward Grey when he remarked to the Russian in London on July 25 that the Austrian mobilization would entail Russian mobilization. The ambassador telegraphed Sazonov that in Grey's opinion the Austrian mobilization *must* entail Russian mobilization. While this book was in press, Count Montgelas has shown that the French preparation for war dated as early as July 24 and has proved that the famous ten kilomètre withdrawal from the frontier was planned solely to placate British public opinion, and would not have occurred, if the French general staff had opposed it on strategic grounds.

On the date of the Russian mobilization, accepted by all responsible leaders and statesmen as the signal for war, Mr. Ewart is clearly in error. On several occasions, he maintains that Russia ordered general mobilization against Germany as from the evening of July 29. Though Russian preparations for war began as early as July 25, coincident with French activity, the fatal general mobilization order against Germany did not become effective until the evening of July 30. It is true that the Czar did sign an order for action on July 29, but he later recanted. In spite of General Sukhomlinov, the mobilization did not take place behind his back. Apart from this error of time, Mr. Ewart brings out very clearly the vital effect of this order.

It is to be hoped that Mr. Ewart's publishers will prepare a cheaper and more compact edition. From such an edition, some of the documents now used could be eliminated without sacrificing the value of the book. No other single authority contains so much varied information about European diplomacy since 1870 relevant to the Great War.

FREDERIC H. SOWARD

Canadian History: A Syllabus and Guide to Reading. By R. G. TROTTER. Toronto: The Macmillan Company of Canada. 1926. Pp. xiii, 162. (\$1.00.)

PROFESSOR TROTTER has already acquired distinction as an historian in his admirable study of the origin and creation of the Canadian federation (see CANADIAN HISTORICAL REVIEW, 1925, p. 74). In attempting, then, to provide a syllabus and guide to Canadian history he has undertaken a difficult task with an endowment of scholarly and successful experience both as author and teacher. That the task is difficult is beyond doubt. Perhaps the gravest danger in such an undertaking lies in the fact that it is extremely liable to issue in a mechanical guide

to examinations—chapter headings for essays—a soulless map—a barren record of numbered facts. Indeed, it has not been our fortune to come across any one of the many guides to periods of history which abound in North America which we would wish to trust safely to any serious beginner in historical science if we desired to save his soul.

Professor Trotter's achievement can perhaps best be judged from the distinct success of his book in this connection. No student will be able to use it as a substitute for serious study, no general reader can skim through it and acquire a nodding acquaintance with the field. The book is planned with such skill and insight that, while it is on the one hand a syllabus, it is, on the other, a challenge to exploration, a series of admirable finger-posts in an historical country, where, just because it is human, the trails and roads overlap and intertwine, and the points of seminal interest crop up here and there in fascinating perversity.

With this general attitude of approach Professor Trotter combines a balanced view of Canadian history as a whole. He sees it too not merely as the record of a nation's development—racial, linguistic, economic, social, institutional, and so on—but also against a background of general and imperial history. This feature of his work is admirable. We share his protest against the weight given to Canadian constitutional development at the expense of a synthetic and comprehensive study. With Professor Trotter's syllabus in hand it is now possible for a student to begin his study of the field and to feel certain under its guidance that in the end he will have acquired a generous and balanced view.

We have, too, nothing but praise for the select bibliographies. Professor Trotter's aim has been modest: to provide a guide to such primary and secondary material as might be found in any well-equipped library. There is, of course, no attempt at comprehensiveness. The very limitations, however, have demanded skill and judgment, and Professor Trotter's scholarship is evident in the careful selection made, though some of his notes of evaluation are inadequate. An index of authors adds to the usefulness of the book. We have no hesitation in saying that it ought to prove of the greatest value to beginners in Canadian history and that we only wish that every teacher of history in every school in Canada possessed and used a copy.

We should like to hope that Professor Trotter may see his way to undertake the organization of Canadian historians to produce a comprehensive and critical guide to the sources and literature of Canadian history. There is a crying need for such a work and everything points to Professor Trotter as the man on whose shoulders the heavy but honourable work ought to fall.

W. P. M. KENNEDY

The United States as a Neighbour, from a Canadian Point of View. By Sir ROBERT FALCONER. Cambridge: University Press. 1925. Pp. viii, 259.

THIS volume is composed of lectures delivered by the author, at British universities, as the incumbent in 1925 of the Sir George Watson Chair of American History and Institutions. The trustees of the Foundation were correct in their supposition that a useful purpose would be served if the course for one year were given by a Canadian. The view taken of us by a neighbour is not necessarily favourable, but it is almost sure to be interesting, since it is not limited by the defect, shared by most of us, of inability to see ourselves at close range as others see us. Fortunately, however, the inhabitants of the United States and of Canada can reciprocally inspect one another with a reasonable measure of complacency and fairness. There has been no war between them growing out of neighbourly differences. In spite of clashes of interest, which are not unknown even among members of the same empire or union, the general drift has been towards the increase of friendly relations; and from this we are justified in inferring that there has existed, and is likely to continue to exist, as between the two peoples a decisive preponderance of common interests over interests that conflict and produce division.

The contents of the volume, which are distinctly instructive, cover, necessarily in a more or less summary way, a wide field, embracing, as between Canada and the United States, such subjects as common ingredients in the population, the determination of boundaries, the settlement of fisheries disputes, the course of trade and commerce, the elements that go to make up public sentiment, and educational developments. There is also a chapter, without which no book relating to Canada would now be complete, on "Canadian nationalism"; and there is assigned to Canada the high function of acting as an interpreter between the United States and Great Britain.

I cannot concur in the view (p. 19) that, in failing to restore to the Loyalists their confiscated estates, "the young Republic went forth upon its way having violated" its first treaty with Great Britain. The author describes the stipulation as "almost an engagement". There was, however, a precise engagement, and that was, as the author also shows, that the Congress of the United States "should earnestly recommend" to the several states the restoration of the properties in question. This stipulation was fulfilled, but the states did not see fit to acquiesce. That the lot of the Loyalists was hard, there can be no doubt. They suffered from the enforcement of a so-called right of war, namely, the confiscation of enemy private property, which the writer of the present review

not only has always reprobated, but which he has had recent occasion publicly to deprecate when practised by other governments and to condemn and oppose when practised by or proposed to his own government.

The general tendency towards the establishment of more cordial relations between the United States and Canada has in nothing been more strikingly exemplified than in the settlement of boundary questions and fisheries disputes, to each of which subjects the author most appropriately devotes a chapter. The present writer's official career may be said to have begun with the controversy, which broke out afresh in 1885-86, in relation to the North Atlantic fisheries; and it was with profound satisfaction that he first heard, at Lima, Peru, in 1910, the report of the award of the Permanent Court of Arbitration at The Hague by which an adjustment of the age-long differences was made. Twenty-five years earlier such a result would have seemed to be impossible, especially as the award incorporated important provisions of the rejected treaty of February, 1888, in the negotiation of which Sir Charles Tupper bore an important part. In the settlement of boundary questions Canada has, on the whole, fared well. This appears, I think, by the author's narration. In the final settlement of the Alaskan boundary there was, as he points out, an unfortunate phase; but this was, I think, due to the constitution of the tribunal perhaps rather than to the result. The proceeding is often classed as an arbitration, but in reality the tribunal was a joint commission rather than an arbitral body. In the final settlement of the Maine boundary the advantage lay with Canada. If there was any fault, it was to be found in the treaty by which the line was originally designated. This was not, as the advisers of the King of the Netherlands thought, an impossible line. British Engineers were able to run it in dividing, between two Canadian provinces, unappropriated territory lying to the north of the Webster-Ashburton line.

In discussing the subject of higher education, the author observes that the United States has had little influence upon the undergraduate arts course in Canada, but has affected, through her post-graduate schools, the intellectual life of the Dominion; and he remarks that many a Canadian "speaks with reverence of the Johns Hopkins of Gildersleeve, Sylvester and Rowland, so poor in buildings, so wealthy in men." The Johns Hopkins of to-day is not "so poor in buildings", although it may in this respect be less fortunate than the great university over which the author himself so ably presides. But the phrase "so wealthy in men" has, as applied to a university, a deep significance. If, as the author says, a new order is ever to be ushered in, "the day will surely begin with the creation of sympathy". To the growth of such a bond

between Canada and the United States we are justified in believing that the universities of the two countries have materially contributed; and for the carrying on of this great work we may hope that wealth in men will not be wanting.

JOHN BASSETT MOORE

The Discovery of America twenty years before Columbus. By SOFUS LARSEN. Copenhagen: Levin & Munksgaard. London: Hachette, Ltd. 1924. Pp. 116; illustrations.

THIS short study, by the librarian of the University of Copenhagen, is an attempt to show that North America was discovered by an expedition undertaken by King Christiern of Denmark twenty years before the voyage of Columbus in 1492. Evidence has been accumulating of late that Columbus was by no means without forerunners; and for this reason one is perhaps disposed to give ready credence to Dr. Larsen's hypothesis. This is, briefly, that the King of Denmark undertook, about the year 1472, an expedition to Arctic waters to discover new islands and continents, that João Vaz Corte-Real, the father of Gaspar Corte-Real, took part in this voyage; and that the expedition reached the shores of Labrador. The story, however, is pieced together from hints and theories; and while Dr. Larsen's argument is interesting, and at times plausible, it remains an hypothesis, and nothing more.

W. S. WALLACE

Les Bienheureux Martyrs de la Compagnie de Jésus au Canada. Par le Rév. Père FRÉDÉRIC ROUVIER, S.J. Montreal: Le Messager Canadien. 1925. Pp. viii, 333.

The Jesuit Relations and Allied Documents: Travels and Explorations of the Jesuit Missionaries in North America (1610-1791). Selected and edited by EDNA KENTON. Toronto: McClelland and Stewart. 1925. Pp. liv, 527. (\$5.00.)

IT was remarked by a writer in the last number of this REVIEW that the recent beatification of the eight Jesuit missionaries who perished in the mid-seventeenth century at the hands of the Iroquois had stimulated a fresh interest in the lives and work of the Jesuits in America. Further evidence of this interest is provided by the two volumes here calling for notice.

Les Bienheureux Martyrs de la Compagnie de Jésus is a new edition of a volume which was published in France in 1894 under the title, *Au berceau de l'autre France, Le Canada et ses premiers martyrs*. The new edition contains a preface by Mgr Georges Gauthier, various minor

corrections of the text, a new chapter on Father Noël Chabanel, and another on the martyred *donnés*, René Goupil and Jean de la Lande. The volume has the reverent piety and the enthusiasm for the lives and deaths of the eight martyred Jesuits that we should expect from a member of the Society. Its chapters are based mainly on the *Relations*, which are freely quoted from, though other sources are also used. After an introduction describing the beginnings of New France and the Jesuit missions, there follow separate accounts of the lives and martyrdoms of Brébeuf, Gabriel Lalemant, Jogues, Goupil, La Lande, Daniel, Garnier, and Chabanel. There are numerous illustrations, both sketches and reproductions of photographs.

The Jesuit Relations and Allied Documents is a volume of a somewhat different nature. It is just thirty years since there began to appear from the press the first volumes of the late R. G. Thwaites's edition of *The Jesuit Relations and Allied Documents*. Its seventy-two volumes first made available in English the text not merely of the *Relations* properly so called, but also of a large number of kindred documents, many of them of great value. But as the editor of this new volume points out in her Foreword, "since only 750 sets were published, the *Relations* of the Jesuits were, for the general reader, as inaccessible as ever." The object of the present volume is to provide, "in a single volume, and in their own words, the story of the Jesuit missionaries in North America from the establishment of their first Acadian mission in 1611, to their final surrender of the Jesuit estates, in gift, to Canada, in 1789."

The idea is an excellent one, and has been on the whole admirably carried out. The book is well printed, equipped with a full index, and a number of good illustrations, including a reproduction of Champlain map of 1612, and a coloured end-paper of Jolliet's map of 1674. Thwaites's own introduction, with its valuable synopsis of the various Jesuit missions in North America, and the account of the *Relations* themselves, is also included. The text is divided into five parts: the beginnings of the Jesuit missions, the development of the Huron mission, the story of the Huron martyrs, the westward expansion of the missionaries, and the banishment of the Jesuits. With so large a mass of material as the many volumes of Thwaites made available, the task of selection must have been far from easy; it has been on the whole wisely performed. Following Jouveny's account of the Acadian effort, we have Le Jeune's *Relation* of 1632, followed by other selections from Le Jeune, Jérôme Lalemant, Jogues, Brébeuf, Ragueneau, Le Mercier, and others, whether in the more formal *Relations* or in letters. It is easy to follow in them the rise and fall of the Huron mission, the effort to establish missions

amongst the Iroquois, and the way in which the missionaries (and the French flag) spread across the great lakes and southward. Marquette's journals, for example, are given in full. In addition there are extracts from the journal kept by the Jesuits at Quebec, Coquart's *Memoir upon the posts of the King's Domain*, and the statement of 1701 upon the revenue of the Canadian Jesuits. There is, however, one feature in the *Relations* included which calls for mention. They are not given in full, but have been abbreviated by the editor. Considerations of space may justify this, but neither in the foreword nor elsewhere are we told that this has been done. And though the narrative may not suffer, we do not always get the full flavour of the Jesuit style of writing.

The Jesuit *Relations* may be said to be of historical value in four ways. They tell the amazing story of the lives and deaths of the Fathers and *donnés* who, for the greater glory of God, braved the hard existence of missionaries in North America; they give us unequalled early and first-hand information about the Indians; they relate the part played by the Jesuits, no small one, in the exploration of the continent; and they tell us a great deal that we should not otherwise know about the life and history of New France and its capital, Quebec. In the volume before us the first three of these features are abundantly illustrated. The fourth comes off less well. For example, Bishop Laval is not mentioned in the extracts of the text, though in the index of Thwaites's large edition he has a whole page or more of references. Yet after all the editor is right in emphasizing the missionary side of the Jesuit story, for that was their outstanding contribution to Canadian and American history. As an introduction thereto, the volume deserves high praise, and should make accessible to readers of English a chapter in the early history of this continent for which they have so far been largely dependent on the brilliant pages of Francis Parkman.

R. FLENLEY

The French Régime in Wisconsin and the Northwest. By LOUISE PHELPS KELLOGG. (Publications of the State Historical Society of Wisconsin, edited by Joseph Schafer: Wisconsin History Series, Vol. I.) Madison: Wisconsin. 1925. Pp. 474.

As was to be expected from the series and the author, this is a very valuable work. The volume begins with an excellent survey of the geographic discoveries from the time of the discovery of the new world to the occupation of Wisconsin by the French. There follows a general history of Wisconsin to 1761. Chapters on "Early Mining in the Northwest" and on "The French Residents of Wisconsin" include a general discussion of French influence during later history. Several

valuable maps are added as well as facsimiles and photographs. The whole is well documented. There is an index, but no bibliography. The typography could be improved.

The author has approached the subject "from the standpoint of the west". "The sources have been consulted anew and evaluated as though no one had ever done this before." The scientific approach is constantly in evidence. No hesitation is shown in retracting former views now invalidated by the appearance of new evidence. The results have been in many ways significant. Indian economy, tribal movements, and wars have been given rightly much greater stress than is the case in most works on the French period. On the other hand, the treatment of missions has been reduced in proportion and with equally happy results. Generally the volume is the culmination of the able work of a long line of Wisconsin historians.

In areas outside the Wisconsin field, however, it must be said the work is not so fortunate, although this is no fault of the author's. The accepted opinions on most subjects have not been challenged or revised. The material concerning these subjects has not been made available, and the work done has not been as thorough. For example, it is erroneously stated (p. 102) that in 1645 the Company of the Colony obtained a monopoly of the fur trade for one-fourth of their gross receipts. There is no evidence that the author has distinguished between Grand Portage and Kaministiquia as a fur-trade terminal (pp. 297-8). It is questionable whether the author is justified in using a description of the fur-trade as it was carried on after the conquest of New France to suit the trade of the French period (pp. 368 seq.).

It will be difficult to agree with all the conclusions which are advanced in this work, but beyond question the book is a landmark in the history of Wisconsin, if not in the history of New France.

H. A. INNIS

The Correspondence of Lieut. Governor John Graves Simcoe, with allied Documents. Collected and edited by Brigadier-General E. A. CRUIKSHANK, for the Ontario Historical Society. Vol. III: 1794-1795. Toronto. 1925. (\$1.00.)

AGAIN General Cruikshank and the Ontario Historical Society have placed under obligation all who are interested in the early history of Upper Canada and in its first lieutenant-governor. During most of the time covered by this volume, Simcoe was in a state of great anxiety in respect of the safety of his province in case of a war with the United States, which he considered inevitable. That he wished for such a war is one of the calumnies which have come down from early times to ours

based to a certain extent upon his activity in carrying into effect the commands of his military superior. But war seemed inevitable after the foolish speech of Dorchester in answer to the Seven Nations and the command to build the fort at the Miamis; and Simcoe could not foresee that Mad Anthony, after bluster and brave words, would quietly withdraw, nor could he foresee that what seemed to be an intention of the Home administration, Dorchester's masters, to commence a war with the United States, was not to result in war. In case of such a war, he thought Upper Canada on any defensive plan would certainly fall, and war was in fact terribly near; had Major Campbell not been cool and restrained, had he been a Mad Anthony, no one can say what would have happened. Nay, had one British soldier acted rashly and fired on the American troops the cannon loaded, primed, and aimed at them, it is hard to see how war could have been avoided. In the military mind—and Simcoe was a soldier—there seemed no way out.

This volume helps us to see that there were two obstacles to war. One was the president of the United States, George Washington, whose military destructive skill has been praised, perhaps overpraised, but whose civil constructive skill has received less attention than it deserves. He knew that the best security for the young Republic was peace with and friendship of Britain; and Jay was sent to London to negotiate a treaty. The other obstacle was the feeling in London and throughout the British Isles. Even so well-informed a man as Jay had the idea that the insensate rancour shown by no small part of the American people toward everything English, a rancour not yet wholly dead, was reciprocated in England. When he got to London, he found to his amazement that king, cabinet, and people were unanimous in a conciliatory policy towards the United States (p. 317). While many of his compatriots thought of the king in terms of that political manifesto, the Declaration of Independence, the most successful instance of propaganda in modern history, he found to his astonishment King George popular, a model of private virtue, industrious, sober, temperate, affectionate, and attentive to his queen and children, a patron of the arts and sciences, and in general well-intentioned and persevering. As to the cabinet, even Lord Hawkesbury was in favour of conciliation; while the sentiment of the people was shown at the dinner given Jay in London, at which were present the principal cabinet ministers. The toast to the president of the United States, proposed to be with three cheers, was greeted with six, and every toast manifesting a desire for cordiality and conciliation with America met with general and strong marks of approbation. Nor was this a pacifist gathering; when Jay ventured a neutral toast wishing "a safe and honourable peace to all the belligerent powers", it was

received coldly, and with about as much enthusiasm as Woodrow Wilson's "Peace without Victory," of which it was the prototype. The feeling of these *merchants* was as to France war to the knife, the knife to the hilt—as to America, peace, conciliation, harmony. It was not until Washington had ceased to speak, and until the party who detested and vilified him became paramount, that the Union declared war.

Simcoe states with some pride that the idea of war called forth all the loyalty of the province, and that he could have relied on the loyalty of no man more than on that of a gentleman who had opposed his pet scheme for courts—Richard Cartwright—and there can be no doubt that had there been war, Upper Canadians would have stood shoulder to shoulder under Simcoe to repel attack, however hopeless they might think the resistance would probably be. Simcoe's own determination is shown by his specific orders to the commandant of the Miamis Fort to fire on any United States troops which should approach.

Simcoe's difficulties with Dorchester crop up at every turn. The truth is that he was in a false position, being in military subordination to the governor-in-chief (who detested and thwarted him), while he was responsible for the government of the province, itself largely military in character.

While his sovereign "gloried in the name of Briton"—or Bute said he did—Simcoe did not. He was not a Briton, he was an Englishman. He had not got as yet so far as to complain of Scotsmen being advanced in the army—that was to come later; but in his mind England was the Empire, and everything English was to be the model in his province. Courts on the English plan were erected, lieutenants of counties appointed, charters for towns were recommended, the Church of England (not of Scotland) was to be established, and schools and university to be placed in charge of her clergy. His opinion of the Methodists corresponded with that of the bishop of Quebec, who thought their preachers to be "itinerant and mendicant Methodists, a set of ignorant enthusiasts whose preaching is calculated to corrupt the morals, to relax the nerves of industry, to dissolve the bonds of society."

There are some curious facts stated in the correspondence in this volume. That Charles Smith, clerk of the Court of Common Pleas for the district of Hesse, who with some of the Detroit militia, in the face of express prohibition by the commanding officer, joined the Indians in their attack on Anthony Wayne and was killed at Fallen Timbers, was quartered alive, and that his death was almost immediately avenged by the Indians capturing an American officer and cutting him into

pound pieces with their scalping knives, is too horrible not to be true (p. 29). (By the way, he spelled his name "Smyth".)

That Britain refused even to consider paying for slaves who had taken refuge under her flag and never had even the slightest thought of surrendering them, being prepared to protect them with all the force of the Empire, everyone should know (p. 82).

There was once real danger of Canada losing Wolfe Island (p. 240). The story of Father Burke and his devotion to the British cause is an epic in itself (p. 247).

A few slips may be noted. "B. B. Tickell" (p. 117) was Richard Barnes Tickell, who received a licence to practise law under the Act of 1794, and was shortly thereafter accidentally drowned, much to the sorrow of Col. and Mrs. Simcoe. The "Roe" mentioned on page 46 was certainly Walter Roe of Detroit, one of the two lawyers referred to on page 2. The proof-reading is excellent, but occasionally a hiatus is formed by one or more letters dropping out.

The volume, like its predecessors, is well printed on good paper, is well bound, and is a credit to all concerned in its production. We will welcome its successors.

WILLIAM RENWICK RIDDELL

Great Britain and the American Civil War. By EPHRAIM DOUGLASS ADAMS. Two vols. London: Longmans, Green & Co. 1925. Pp. 307; 340; illustrations.

THE author of this book, who is professor of history in Stanford University, has devoted some time to the study of British-American relations during the Civil War. He was associated with Charles Francis Adams in preparing the biography of the latter's father, who was American minister in London during the war. The death of Mr. Adams prevented the completion of that work, but the researches then made by the writer of these volumes enabled him to draw up the present survey and outline. The material used includes many citations from the British press and the speeches of British statesmen, and in this respect is the fullest narrative available of British public opinion from the outset of the rebellion to its close. Upon this evidence especially the author traces a close relation between the progress of the war, from time to time, and the political movement in England during the same period for the extension of the franchise. This view is not put forward by British historians as a leading factor in the controversy which finally resulted in what Carlyle called "Shooting Niagara", as embodied in Disraeli's Reform Bill of 1867, but the argument is interesting, and the author's contention should be considered after perusal of his own words.

The author maintains throughout a moderate and unbiassed attitude, and the work tends upon the whole to exhibit England's difficulties in a friendlier light than, for example, is to be inferred from the short biography of Adams, by his son, in the *American Statesmen* series. That the official policy of England during the war was affected, in no slight measure, by want of knowledge of the United States, admits of little doubt, and Professor Adams points out as one cause of Southern sympathy the preference by British commercial interests for the free-trade South rather than the protectionist North. It may, indeed, be said that every reason which inclined the British government to pursue the policy it did pursue is faithfully recorded in these pages. As far as Canada's direct relation to the events of the struggle is concerned, the author bestows small attention upon that phase of the subject, although he is evidently perfectly familiar with it from the days of the Hunters' Lodges along the border, following the Canadian Rebellions of 1837 and 1838, down to the St. Alban's Raid. The latter, as a minor incident, is not mentioned, but the effect of the war on the fate of the Reciprocity Treaty and the proposal of Gladstone to cede Canada to the Republic as a contribution to permanent peace are not passed over. The work is a useful supplement to easily accessible material and furnishes a good example of the spirit which the historians of the United States find themselves able to assume in treating of British-American relationships in their most acute form.

A. H. U. COLQUHOUN

The Diplomatic Relations of Great Britain and the United States. By R. B. MOWAT. London: Edwin Arnold and Co. 1925. Pp. 350.

THERE are a number of works dealing with the diplomatic relations of Great Britain and the United States. None adheres strictly to the canons of scientifically written history; some are frankly biassed. It is necessary to go behind them, at one point or another, to get at the actual facts, while in not a few instances final authentic materials are not available. Mr. Mowat's is, probably, the most interesting of all these narratives. He has worked over the immense range of accessible sources with due diligence. He exhibits an adequate insight into the Canadian background, upon which some of the diplomatic contests depended. His attitude throughout is supremely tolerant, which is a distinct point in his favour, and he furnishes more fully than has previously been done some knowledge of those who conducted negotiations at one period or another. For example, it would be difficult to appraise the labours of Lord Ashburton, Sir Stafford Northcote, Lord Elgin, or Sir John Macdonald, without knowing something of their temperaments

and their relations to the United States. Although the record since the peace of 1783 is a long and complicated one, illuminated by many stirring episodes and interspersed with threats of war—even during the much-vaunted hundred years of “peace”—Mr. Mowat steers his way, as a cautious and competent historian ought to do, without passion, without over-stating the defects of either side, and preserving throughout, as has been said, an imperturbable good humour. As an example, the case of the forged documents in the Behring Sea negotiations (p. 252) will do very well. There is a comfortable belief, especially among those favourable to good relations, that the closer the study of international dealings the better the understanding between the countries will be. Mr. Mowat does not disturb this conviction. It rests chiefly on the assumption, borne out by many facts, that Great Britain did as well as she could under occasionally difficult circumstances, and that in diplomacy, as in war, victory cannot always be on the same side.

There are two considerations which must be kept in view in order to comprehend the diplomatic history of the United States. From the nature of its constitution, with the Senate an intervening factor in all treaty arrangements, the republic cannot preserve the continuity of policy possible to Great Britain. A body, sharing the sovereign power as to treaties, directly or indirectly representing democracy, will always be hard to handle. The other consideration is that the peace treaty of 1783, so clumsily framed by the British negotiator, contained in itself the seeds of many future disputes. Mr. Mowat, like his predecessors, does not enter fully into this original cause of trouble. The historians of both countries, in spite of the clearer knowledge possible to-day and the decline of the Whig tradition, have made no special study of its defects and its almost inevitable consequences. The opinion, credited to Fox, who was excluded from the negotiations by Shelburne, that England would have fared better without any treaty except a simple acknowledgment of the independence of the United States, is full of suggestion. The treaty, however, retained every ground, conceivable at the time, for preserving controversy and bad feeling between the two parties; the boundaries, the ocean fisheries, the claims of the Loyalists, and the rights of Canada. Bearing these things in mind, the maintenance of peace, with one exception, down to the present day, when war is not possible, is highly creditable to both countries, and viewed in this spirit the closest examination of the record will yield no dangerous results. As a useful text-book, or as a source of instruction and amusement for popular reading, Mr. Mowat's achievement is worthy of commendation.

A. H. U. COLQUHOUN

The Later Correspondence of Lord John Russell, 1840-1878. Edited by G. P. GOOCH. Two volumes. London: Longmans, Green and Company. 1925. Pp. lxvi, 361; 408; illustrations.

LORD JOHN RUSSELL played an important part in the history of British colonial policy. He was a member of the cabinet which sent to Canada as Lord High Commissioner the Earl of Durham, and he was prime minister of England during the period when full responsible government was introduced into Canada. One would have expected that in his *Later correspondence*, covering the years 1840-1878, there would be interesting materials relating to the inauguration of responsible government in Canada and Nova Scotia. Such, however, is not the case. Mr. Gooch, in arranging and editing Lord John Russell's letters, has apparently deliberately excluded all relating to colonial policy. His eyes have been turned exclusively to English affairs and foreign politics. This may be due to the fact that the imperial aspects of Lord John Russell's administration have already been dealt with in the two volumes of Earl Grey's *Colonial policy of Lord John Russell*; but if so, an explanation of the omission would surely have been in place in the preface or introduction. There have been published recently so many books about British statesmen which ignore almost wholly the vital part which these statesmen have sometimes played in the history of the British overseas dominions, that one wonders whether some British scholars are really conscious of the existence of the British Empire.

W. S. WALLACE

The Bench and Bar of Lower Canada down to 1850. By A. W. PATRICK BUCHANAN. Montreal: Burton's Limited. 1925. Pp. 219.

MR. BUCHANAN's book is as interesting as it is instructive. It is not a full history of the bench and bar of Lower Canada. In his foreword, the author sets forth what his intentions were, and one should not try to find more in it than was intended.

The book opens with a concise history of the creation and growth of the judicial system under English rule, and the story is carried up to the year 1850, when the present system, introduced by legislation in 1849, was put into operation. I may remark, however, that the Court of Chancery which existed from 1765 to 1775, and the reëstablishment of which the merchants prayed for in 1787, has not even been hinted at. The original records of this court are preserved in the Public Archives and form part of the S. Series. Then follow lists of judges and advocates whose names are worthy of recognition, and short notes or biographical sketches of the most prominent among them. A few *bons mots* are next recorded, and an appendix follows containing very

interesting documents relating to some eminent members of the bar. An index of names and subjects crowns the book.

Mr. Buchanan has not failed to avail himself of the information contained in the annual reports of the Public Archives of Canada and in the two volumes of *Documents relating to the Constitutional History of Canada*. But unhappily, through no fault of his (this series not having been calendared), he has missed the S. Series in the Archives. This is one of the most interesting collections in the Archives, as far as the history of Lower and Upper Canada is concerned. It contains the correspondence and other papers relating to the internal administration of these provinces from the establishment of the civil government in 1764 up to their reunion in 1841. For local history and biography, it cannot be ignored. Mr. Buchanan has found many interesting documents in the Judicial Archives of Montreal, in the records of the Advocates' Library established in 1828, in the old newspapers, etc. Had he also had known of the treasures of the S. Series, he could have added to his lore quite a number of interesting facts and dates.

Though *lacunae* exist in this book, it is most full of interest, and the knowledge displayed in it shows much diligent research.

The few inaccuracies it contains are not sufficient to mar its merits, which are of a high order. I may, however, be permitted to point out some. For instance, the author repeats the error found in all former histories of Canada which have spoken of Joseph Le Vasseur-Borgia, that he was of Italian descent. I have explained, in a biographical sketch of this famous lawyer (see *Transactions of the Royal Society of Canada*, 1925), how that error came about. "Edward William Grant" should be Edward William Gray (p. 23, third line); three lines below, "Joutard" should be Jautard. On the fifteenth line of that paragraph, "Stuart" should be Stewart. Chief Justice James Monk was born in Boston in 1745 (p. 39). In the second last line on page 42, "grandson" should be grand-nephew. Monk resigned in 1824 (p. 43). James Reid (p. 49) was thirteen years chief justice, not thirty-three. John Marteilhe and François Mounier were judges of the Court of Common Pleas at Quebec, not Montreal (p. 56). The former went later to live at Montreal. James Walker (p. 58) was admitted to the bar on May 1, 1777. Arthur Davidson (p. 59) became an advocate in 1771, not in 1765. Foucher was appointed to the Court of King's Bench at Three Rivers in 1803, and was promoted to that of Montreal in 1812 (p. 59). Edward Bowen was born in 1780, not 1760 (p. 61). John Fletcher was born in 1767, not 1787. Mr. Buchanan says (p. 64), that Felix O'Hara was admitted to the bar in 1788, but this name does not appear in the list of commissions issued and registered in the Registrar

General's Office. O'Hara appears to have been a farmer, a merchant, a contractor, etc.

The extracts from newspapers that accompany some of the sketches are interesting, but, not being complete, they, in some cases, may cause the reader to form a false impression of the merits of a man. *Qui n'entend qu'une cloche, n'entend qu'un son*, says an old proverb. Let us take, for instance, the case of Chief Justice Reid of Montreal. The author reproduces the obituary notice from the *Montreal Herald*, but omits that in *La Minerve*, which expresses an opinion not altogether so favourable.

These few remarks are only intended to show that, even in the best of works, one is liable to make errors, and that, when writing a page of history, one should never overlook the treasures amassed in the Public Archives. In conclusion, I would say that Mr. Buchanan's *Bench and Bar of Lower Canada* should be, not only in judges' and lawyers' libraries, but in the hands of all lovers of Canadian history.

FRANCIS J. AUDET

Wanderings of an Artist among the Indians of North America from Canada to Vancouver's Island and Oregon through the Hudson's Bay Company's Territory and back again. By PAUL KANE. Introduction and notes by L. J. BURPEE. (*Master-works of Canadian authors*, edited by JOHN W. GARVIN: Volume VII.) Toronto: The Radisson Society of Canada. 1926. Pp. 1, 329; illustrations.

THIS volume is the first to appear of a series of twenty-five volumes entitled *Master-works of Canadian authors*, which are being published by the Radisson Society of Canada, and edited by Mr. John W. Garvin. The object of the series is to render available in an attractive form works of Canadian authors hitherto procurable only with difficulty, and to republish them with an introduction and notes by a competent authority.

Paul Kane's *Wanderings among the Indians* is now a very scarce book, and it was a happy idea to include it in this series. Though Paul Kane does not occupy a position of the first rank either as an artist or as a writer, his book has an interest and value of an exceptional character. For the student of Indian life, and for the historian of western Canada, both his pictures and his pages contain information to be found nowhere else. Nor is the style of his book unattractive. Compared with most other journals (for it is nothing more than a journal), it holds the attention of the reader surprisingly well.

But grateful as we are for the republication of Paul Kane's text, we are still more grateful for Mr. Burpee's admirable introduction. Mr. Burpee has brought to light new facts in connection with Paul Kane,

particularly the fact that Paul Kane was born not in Toronto, but in Ireland; he prints a most exhaustive bibliographical list containing the sources of his information; and he has compiled as complete a catalogue as possible of Paul Kane's paintings. The notes he has supplied might well have been fuller, and it would have been a convenience had they been inserted as footnotes instead of being relegated to the back of the volume. One notes also the absence of any index; but by far the most serious omission is the failure of the editor to reproduce any of the coloured lithographs which were such a charming feature of the original edition. These would no doubt have added greatly to the cost of production, but without these illustrations the book loses half its value.

W. S. WALLACE

Pioneer Sketches in the District of Bathurst. By the Hon. ANDREW HAYDON. Volume I. Toronto: The Ryerson Press. 1925. Pp. ii, 291.

THIS book of eight chapters and thirty-four illustrations ought to be welcome at the present day, when the subject of assisted immigration is engaging the serious attention of Canadian and Old Country authorities alike. Dealing with the successful attempts made a hundred to a hundred and ten years ago to solve the problems of unemployment and distress consequent upon the Napoleonic Wars, it contains ample stores of encouragement for us who have to deal with similar conditions arising out of the "Great War". It details the means employed to gather together suitable emigrants in Scotland and Ireland, to bring them to Quebec, to forward them *via* the St. Lawrence, Brockville, and Prescott to what is now Perth, Lanark, Almonte, Richmond, Pakenham, Fitzroy Harbour, and the townships within which these municipalities are situated, to house them until they had erected dwellings of their own, to provision them, and to furnish them with necessary implements.

Incidentally it may be remarked that the cost of the ocean passage is shown to have been the same in amount as that recently fixed—£3 per head. Moreover, two points to which undue prominence is nowadays too often given were not thought to be drawbacks a hundred years ago: (1) smallness or lack of means on the part of the would-be settlers; (2) the fact of their being townsmen unacquainted with either the theory or the practice of agriculture. They thrived and, in some cases, they waxed rich in spite of the rocks with which the counties of Lanark and Carleton abound; and their descendants have spread throughout the rest of the province and the provinces to the westward, carrying with them their Scoto-Irish initiative, thrift, love of education, and distinctive accent.

Being "sketches", not formal history, albeit carefully documented with references to the Canadian Archives and to other equally trustworthy sources, the book gives a most attractive account not only of the various settlements but also of the Hon. Malcolm Cameron, "the bare-foot boy", Sheriff Dickson, the prison-reformer of Kingston, and Thomas Macqueen, the stone-mason poet and editor of the *Goderich Signal* and the *Hamilton Canadian*, who, like Senator Templeman, made their start in life in the district of Bathurst. In the chapter entitled "An Old Library" appear the Earl of Dalhousie and his son, Bishop Stewart of Quebec, as well as Dr. John Strachan. In others occur more or less extended references to the Duke of Richmond and his tragic death, Lord Elgin, Sir Peregrine Maitland, the highminded, just lieutenant-governor, the Hon. Peter Robinson, the promoter and superintendent of emigration, the Rev. Hannibal Mulkins, the Rev. Michael Harris, the Rev. William Bell, and the Rev. Dr. Gemmill, early Anglican and Presbyterian clergymen.

The book is appropriately dedicated to "My former Professor and constant friend, Dr. Adam Shortt", who, at Queen's University and at Ottawa, by voice and by pen, has done a vast deal to inspire a love of and a devotion to the study of the history of Canada.

A. H. YOUNG

Candid Chronicles. By HECTOR CHARLESWORTH. Toronto: The Macmillan Company of Canada. 1925. Pp. 404. (\$4.00.)

FEW Canadian writers of reminiscences have written candid chronicles. Either they have had no disclosures to make, or were too discreet to print them. Mr. Charlesworth commits numerous mild indiscretions, judged by past standards, and has thereby heightened the interest of his pages.

As a newspaper writer in Toronto for the past thirty-five years, he has enjoyed excellent opportunity to witness events and to know and observe leaders in politics and the arts. He writes fluently, in the manner of a raconteur, and his chapters abound in stories which will be welcomed by future historians.

Mr. Charlesworth's opening pages contain valuable sidelights on Canadian life at the middle of last century, drawn from the testimony of his relatives, who represented a wide range of territory. Newspaper life; politics; music and drama, towards which he has taken a prominent place as a critic; painting; the courts, where he reported famous trials; and contacts with distinguished visitors—all these diversified fields yield to the harvest of anecdote and personal description.

An early connection with the promotion of Hydro-Electric policy

enables Mr. Charlesworth to recall pioneer leadership there and in the development of Northern Ontario by railway, under the premiership of Sir George Ross, whose party later sank under political clouds. Mr. Goldwin Smith is visualized keenly, and mention is made of the disappointment the "Oxford Professor" felt at his failure to win greater popularity in Canada. Sir Wilfrid Laurier's inability to grasp and elucidate the statistical side of a policy is illustrated by a racy story of how the Liberal leader's friends conspired, and by "losing" his manuscript prevented repetition of an inept speech.

Mr. Charlesworth is perhaps at his happiest in relating stories of famous crimes and trials in Canada, and the inside version of the Hyams case is marked by keen dramatic interest.

There are a few slips in dates and facts which doubtless will be corrected in later editions.

M. O. HAMMOND

British Politics in Transition. By E. M. SAIT and D. P. BARROWS. (Government Handbooks.) Yonkers-on-Hudson: World Book Company. 1925. Pp. xvi, 319.

THIS new volume in the well-known series of "Government Handbooks" has a very definite aim. The editors, in an admirable introduction, lay emphasis on the necessity of training the judgment of the beginner in the study of politics. This purpose cannot be achieved by supplying dogmatic answers to questionings and problems. The lines of training lie along the use of material illustrative of political situations, and this the editors seek to supply for British politics during the years 1914 to 1924.

The material thus presented deals with the monarchy, the cabinet, the civil service, the electorate, the houses of parliament, political parties, Home Rule, and devolution—a section which includes the Dominions, India, and Egypt. On the whole, the selection is made with care and insight. Nothing is easier than to find fault with a collection of historical material. Perhaps the best criterion is to recall the aim of the editors. With this in view—illustrative selections for different problems to be supplemented by standard text-books, lectures, and discussions—we believe that Mr. Sait and Mr. Barrows have produced a book which will be of excellent use in the hands of a wise and expert teacher.

The section on the Dominions, taken from Professor Keith's latest book, is liable to give certain false impressions, as it is too compressed for students who have not, as it were, grown up with the development of Dominion status. To take one example: nothing is given to explain the Halibut Treaty, nor are the new rules of the Imperial Conference

for the signature of commercial treaties included. In the section on the Irish Free State there is a statement which is open to criticism, that the constitution of the Free State was "given validity by the British Parliament". The facts are that the Free State drew up its own constitution and that its validity depends on its acceptance by the Free State legislature. The Irish Free State Constitution Act (13 George V, c. 1) did not give it "validity", but was merely evidence on the part of Great Britain, one of the high-contracting parties to the Treaty, that the constitution was drawn up within the ambit of the treaty and that it was on statutory record for purposes of judicial interpretation, as it also was on statutory record through a corresponding Free State Act. The constitutional arrangements in the British Empire are full of such problems, and they need very careful handling.

The format and editing are excellent. Unfortunately, there is no index.

W. P. M. KENNEDY

The Fine Arts in Canada. By NEWTON MAC TAVISH. Toronto: The Macmillan Company of Canada. 1925. Pp. xiii, 181; illustrations. (\$7.50.)

It is very fortunate that at last we have such a good book on the Canadian artists. As a piece of bookmaking, it is excellent. The letterpress is good, and the illustrations profuse.

Mr. MacTavish gives a very clear description of the beginnings of art in Canada, and then goes on to the formation of the societies of artists that have made possible the majority of the exhibitions, with the consequent publicity that has aided the artists' work so greatly. Two chapters are devoted to the period of the 'eighties and 'nineties, when Canadian art was emerging from the more primitive condition and getting on its feet, with more of a native-born basis. Then follows the account of the rise of the National Gallery and of the different Art schools. All this has been told in a simple, straightforward manner that makes excellent reading and holds the interest extremely well, as in fact does the entire book. Mr. MacTavish's style is simple and admirably clear, and he groups his facts in a natural and easy manner.

A chapter on the sister arts seems to fit in very well till one gets to the end of the book, when one wishes that this space had been given to an enlargement of the subject more closely in keeping with the general purpose for which the volume was written.

A very clear and elaborate account is given of the rise of the Canadian Art Club. This is followed by chapters on sculpture and architecture in Canada. I find the latter chapter a little thin. Then the work

of Homer Watson, Reid, Morrice, Horatio Walker, Curtis Williamson, Cullen, John Russell, and Suzor-Coté is taken up in somewhat elaborate detail. Of the work of Morrice there is a most charming account, much the best in the volume; it is clear, intensely sympathetic, and I think to a remarkable extent draws the reader into an appreciation of this distinguished artist.

Other chapters follow on four landscape painters, on Canadian artists from abroad, on the women painters, and others; and the book ends with a description of Thomson and the Group of Seven. Here comes what seems to me the weakness of the book. It begins with full and clear descriptions. As it progresses, there are signs of hurry, till at the end it is a sheer scramble. From internal evidence, it would look as if this was not altogether the author's fault; the idea is conveyed of frequent telephone messages from the printing shop. However, as the book stands, there is altogether too much importance given to the Canadian Art Club, which affected Canadian art only slightly, and too little to the work of the Group of Seven, which has affected Canadian painting most profoundly.

C. T. CURRELLY

Sheltered markets: A study of the value of empire trade. By F. L. McDougall. With a preface by the Rt. Hon. Sir ROBERT HORNE. London: John Murray. 1925. Pp. ix, 147. (5s.)

THE problem of exports, the problem of markets, according to Mr. McDougall, lies at the root of Britain's present troubles, and he goes on to show by an extensive statistical analysis, that Britain's surest markets, and in many ways her best markets are the overseas parts of the Empire. The quickest and best remedy for British trade, therefore, is the establishment of "sheltered" markets by means of imperial preferences on a wide and generous scale, and this little book is frankly designed to educate the people of Great Britain along these lines of "national economics." Its main argument contains little that is new, and a criticism of it would follow equally well-worn paths.

In the detail of the book Australian and Indian statistics have to bear the weight of Mr. McDougall's argument. British-Canadian trade figures provide rather cold comfort. No doubt, as the author says, they might be worse. His use of Indian figures, in contrast with those for China, as proof that the flag "shelters" trade (p. 78) is not convincing. Had the geographic positions of India and China relative to Japan been reversed, Japan might well have captured as large a share of Indian trade from Great Britain as she has in fact in China.

As a plea for imperial preference *Sheltered Markets* has many merits.

It is frank, sympathetic, and very readable. The statistics are profuse, yet fresh, well-tabulated, and admirably blended with the text. The emphasis on raising the standards of living among the backward peoples of the Empire as a means of enlarging their purchasing power for British exports (pp. 115 ff.), is clear and forceful. (Dr. Wu Ting-fang once remarked that if one could succeed in adding an inch to the shirt tail of every Chinese, he would keep the cotton mills of the world busy for years supplying the increased demand.) The plea for more efficient methods of marketing (pp. 130 ff.) is also to the point.

It may be of interest to note a contribution that Mr. McDougall makes to economic metaphor. A tariff, he says, is not to be likened to a wall, and Imperial Preference to removing the top tier of bricks; but it is a weir, stemming the flow of imports, while Preference is a sluice-gate admitting as great a quantity of British goods as can be supplied. There is a picture of the Australian Tariff Weir on page 77.

KENNETH W. TAYLOR

The Glittering Mountains of Canada: A Record of Exploration and Pioneer Ascents in the Canadian Rockies, 1914-1924. By J. MONROE THORINGTON. Philadelphia, Pa.: John W. Lea. 1925. Pp. xxii, 310; illustrations and maps. (\$4.50.)

DR. MONROE THORINGTON has been one of the most successful of the more recent climbers and explorers of the Canadian Rockies, and his book is of much interest both from the geographical and the alpinist's point of view. His parties have made first ascents of a number of first-class peaks between the Canadian Pacific and the Canadian National Railways; and his work on the great Columbia ice-field, much the largest area of ice and snow in the southern part of the Canadian Rockies, is of much importance, adding greatly to our knowledge of a seldom visited region, the source of rivers flowing to the Pacific, the Arctic, and the Atlantic Oceans.

Dr. Thorington is not alone an excellent climber, but he has done much historical work in connection with the Rockies; and his account of the successive parties which crossed Athabaska Pass, the earliest route to the Columbia valley and the Pacific, is much in advance of anything previously written in regard to the wild highway of the early fur-traders. His discussion of the problem of Mounts Brown and Hooker, which so long masqueraded as the highest peaks of North America, is excellent, and explains to some extent the origin of the exaggerated ideas of their height.

The story of climbs and explorations is excellently told in simple good English, and the book is mostly free from the mannerisms employed

by too many climbers in recounting their exploits. In one or two places Dr. Thorington does, however, speak of a very difficult piece of work as "amusing", after the affected fashion of some of the English members of the Alpine Club.

A. P. COLEMAN

On the Roof of the Rockies. The Great Columbia Icefield of the Canadian Rockies. By LEWIS R. FREEMAN. Toronto: McClelland and Stewart. 1925. Pp. xiii, 270; illustrations. (\$5.00.)

THIS is not a valuable book of travel in the Canadian Rockies. It recounts the adventures of the author, who accompanied the well-known photographer, Byron Harmon, to the Columbia ice-field. The whole exhibition lasted only ten weeks, only old trails were covered, very little mountain-climbing was done, and little credit is given to previous explorers of the region. The book is padded out with trivialities in regard to camping and ponies and packers; and much space is taken up with details of a wireless outfit and the concerts and prizefights on which the party listened in. Mr. Freeman seems to be one of those business-like travellers who go to a picturesque region, stay the least possible time in it, and then come out to write a book about it.

The illustrations, when not devoted to the radio outfit, are very good; some of the best of them are reproductions of Byron Harmon's fine photographs.

A. P. COLEMAN

RECENT PUBLICATIONS RELATING TO CANADA

(Notice in this section does not preclude a more extended notice later.)

I. THE RELATIONS OF CANADA WITHIN THE EMPIRE

ADAMS, EPHRAIM DOUGLASS. *Great Britain and the American Civil War*. Two vols. London: Longmans, Green & Co. 1925. Pp. 307; 340; illustrations.

Reviewed on page 70.

BENIANS, E. A. *Adam Smith's project of an Empire* (Cambridge Historical Journal, Vol. I, no. 3, 1925, pp. 249-283).

A discussion of the views on the imperial problem advanced in Adam Smith's *Wealth of Nations*, and their influence of the history of the British Empire.

EWART, JOHN S. *The roots and causes of the wars (1914-1918)*. Two vols. New York: George H. Doran. [1925]. Pp. xxxiv, 676; vii, 677-1204. (\$12.00.)

Reviewed on page 52.

FISHER, Mrs. H. A. L. *Canada and British immigration* (Contemporary Review, November, 1925, pp. 601-5).

A brief discussion of the opportunities awaiting British immigrants in Canada.

GREENWOOD, Rt. Hon. Sir HAMAR. *The overseas Empire and foreign affairs* (United Empire, January, 1926, pp. 32-37).

A discussion of "the foreign relations question, so far as it concerns the Dominions."

MOORE, Sir WILLIAM HARRISON. *Suits between states within the British Empire* (Journal of Comparative Legislation and International Law, November, 1925).

An attempt to answer the question, "Can one British colony sue another?"

MOWAT, R. B. *The diplomatic relations of Great Britain and the United States*. London: Edwin Arnold & Co. 1925. Pp. 350.

Reviewed on page 68.

MUIR, RAMSAY. *Empire trade and Empire settlement* (Contemporary Review, December, 1925, pp. 706-14).

A paper discussing the obstacles in the way of intra-imperial migration.

II. HISTORY OF CANADA

(1) General History

An annotated catalogue of books belonging to the Finley collection on the history and romance of the North-west, collected and presented to the Library of Knox College, Galesburg, Illinois, by Edward Caldwell of New York City. Supplemented by A bibliography of the discovery and exploration of the Mississippi Valley, by APPLETON P. C. GRIFFIN. Knox College, Galesburg, Illinois. 1924. Pp. x, 67.

A pamphlet containing valuable bibliographical material regarding the history of the Old North West and of the Mississippi Valley.

CHARTIER, Chanoine ÉMILE. *Points de vue en histoire* (Revue Trimestrielle Canadienne, décembre, 1925, pp. 337-351).

A lecture on the importance of national and political points of view, both in the teaching and in the writing of Canadian history.

CRAIG, HAMILTON. *A hazard at Hansard*. London: Arthur H. Stockwell. 1925. Pp. 31.

"The speech from the throne, Ottawa, Fourth August, 2014"—a prophetic review of the century 1914-2014.

FALCONER, SIR ROBERT. *The United States as a neighbour, from a Canadian point of view*. Cambridge: At the University Press. 1925. Pp. viii, 259. (7s. 6d.)

Reviewed on page 60.

MASSICOTTE, E.-Z. *Miettes d'histoire canadienne*. Montréal: Granger Frères. 1924. Pp. 123.

A book of extracts illustrating various phases of Canadian history from French-Canadian sources.

——— *Récits d'histoire canadienne*. Montréal: Granger Frères. 1924. Pp. 124.

A companion volume to the preceding.

TROTTER, REGINALD GEORGE. *Canadian history: A syllabus and guide to reading*. Toronto: The Macmillan Company. 1926. Pp. xiii, 162. (\$1.50.)

Reviewed on page 58.

(2) New France

ADAMS, ARTHUR T. *A new interpretation of the voyages of Radisson* (Minnesota History, December, 1925, pp. 317-329).

An attempt to reconcile with the known facts the inconsistencies and errors in Radisson's narrative of his explorations.

BEAUCHESNE, TH. *Brouage à l'époque de Samuel de Champlain* (Nova Francia, 21 octobre, 1925, pp. 57-61).

Notes on the birth-place of Champlain.

CATHELINEAU, EMMANUEL DE. *Les Piercot de Baillieu* (Nova Francia, octobre 24, 1925, pp. 62-74).

The history of a French family which has had some connection with Canadian history.

KENTON, EDNA (ed.). *The Jesuit Relations and allied documents: Travels and explorations of the Jesuit missionaries in North America (1610-1791)*. Toronto: McClelland and Stewart. 1925. Pp. liv, 527. (\$5.00.)

Reviewed on page 62.

MASSICOTTE, E.-Z. *Les commandants du Fort Chambly* (Bulletin des recherches historiques, novembre, 1925, pp. 453-458).

Biographical notes on the commandants of Fort Chambly during the French régime.

POULIOT, J. CAMILLE. *Glanures historiques et légales: Autour de l'ordonnance de la Marine de 1681*. Québec: Dussault & Proulx. 1925. Pp. 141.

A series of papers, half legal, half historical, on admiralty courts in Canada, by a judge of the Superior Court of the province of Quebec.

LEYMARIE, A.-LÉO. *Quelques associés de la Compagnie du Montréal* (Nova Francia, 24 Décembre, 1925, pp. 113-123).

Biographical sketches of five of the members of the "Association for the Conversion of Savages at Montreal."

ROUVIER, RÉV. P. FRÉDÉRIC. *Les bienheureux martyrs de la Compagnie de Jésus au Canada*. Montréal: Le Messager Canadien. 1925. Pp. viii, 333.

Reviewed on page 62.

ROY, P. G. *Les capitaines de port à Québec* (Bulletin des recherches historiques, janvier, 1925, pp. 1-12).

Biographical notes on the harbor-masters of Quebec during the French period.

SMILLIE, E. ARMA. *The achievement of Durell in 1759* (Trans. Roy. Soc. Can., 1925, section ii, pp. 131-151).

New light, from hitherto unused documentary sources, on the expedition which Admiral Durell conducted into the St. Lawrence in the spring of 1759.

WEBSTER, J. CLARENCE. *A study of the portraiture of James Wolfe* (Trans. Roy. Soc. Can., 1925, section ii, pp. 47-65).

An elaborate study of the portraits of Wolfe known to be in existence, "for the purpose of presenting a clear picture of his physical characteristics."

(3) British North America before 1867

AUDET, FRANCIS-J. *Joseph Le Vasseur-Borgia* (Trans. Roy. Soc. Can., 1925, section I, pp. 65-78).

A biographical sketch of a member of the Legislative Assembly of Lower Canada before the rebellion of 1837.

FITZPATRICK, JOHN C. (ed.). *The diaries of George Washington, 1748-1799*. Four vols. Boston and New York: Houghton Mifflin Co. 1925. Pp. xviii, 455; 461; 458; 450; illustrations. (\$25.00.)

Contain a few references to Canada and the United Empire Loyalists.

GOCCH, G. P. (ed.). *The later correspondence of Lord John Russell, 1840-1878*. Two vols. Toronto: Longmans, Green, and Co. 1925. Pp. lxvi, 361; 408; illustrations. (\$10.50.)

Reviewed on page 71.

HARDINGE, Rt. Hon. Sir ARTHUR. *The life of Henry Howard Molyneux Herbert, fourth Earl of Carnarvon, 1831-1890*. Edited by ELIZABETH, Countess of CARNARVON. In three vols. Oxford: At the University Press. 1925. Pp. xxiii, 391; xvii, 400; xvii, 383; illustrations. (\$19.00.)

To be reviewed later.

JEANES, Capt. G. F. *Lord Ashburton and the treaty of 1842: A vindication* (United Empire, January, 1926, pp. 12-16).

A defence of British diplomacy in the negotiation of the Ashburton Treaty of 1842.

JOHNSON, WALTER S. *The rebellion of 1837*. (McGill University Publications: Series VI [History and Economics], no. 8.) Montreal, March, 1925. Pp. 28.

An address delivered before the McGill Historical Club.

ROQUEBRUNE, R. LA ROQUE DE. *Un grand diplomate canadien: L'Abbé de La Corne* (Nova Francia, 24 décembre, 1925, pp. 106-112).

The biography of a French-Canadian priest who was partly instrumental in arranging for the informal permission given by the British government in 1766 for the consecration of Bishop Briand in France.

(4) The Dominion of Canada

ALLIN, C. D. *Canada's treaty-making power* (Michigan Law Review, January, 1926, pp. 249-276).

A full and detailed discussion of the present position of Canada in regard to making treaties with other powers.

ANDERSON, Major-Gen. Sir W. H. *The breaking of the Québec-Drocourt line by the Canadian Corps, First Army, 2nd-4th September, 1918* (Canadian Defence Quarterly, January, 1926).

A most valuable account of the operations of the Canadian Corps at the beginning of September, 1918, by the General Staff officer of the First Army.

HEATON, H. *Three Dominion elections—some contrasts* (Dalhousie Review, January, 1926, pp. 470-480).

A comparison of the characteristics and results of the general elections held recently in Canada, Australia, and New Zealand.

LEMIEUX, Hon. RODOLPHE. *Macdonald et Laurier* (Trans. Roy. Soc. Can., 1925, section I, pp. 1-14).

A presidential address delivered at the meeting of the Royal Society of Canada in May, 1925.

CHARLESWORTH, HECTOR. *Candid chronicles*. Toronto: The Macmillan Co. of Canada. 1925. Pp. 404. (\$4.00.)

Reviewed on page 75.

III. PROVINCIAL AND LOCAL HISTORY

(1) The Maritime Provinces

JEWITT, A. R. *Early Halifax theatres* (Dalhousie Review, January, 1926, pp. 444-459).

An interesting account of the theatre and the drama in Halifax, Nova Scotia, in the eighteenth century.

RAYSON, ROBERT SPENCER. *Charles Inglis, a chapter in beginnings* (Queen's Quarterly, October, November, December, 1925, pp. 163-177).

A biographical sketch of the first Anglican bishop of Nova Scotia.

RUSSELL, Hon. B. *Reminiscences of the Nova Scotia judiciary* (Dalhousie Review, January, 1926, pp. 499-512).

Reminiscences of Chief Justice Sir William Young, Mr. Justice Dodd, Mr. Justice Des Barres, and Mr. Justice Johnstone, of the Supreme Court of Nova Scotia.

(2) The Province of Quebec

ATHERTON, WILLIAM HENRY. *Old Montreal in the early days of British Canada*. (Reprinted from the Montreal Gazette, December 29, 1925.) [Montreal, 1926.] Pp. 12.

A pamphlet describing Montreal in 1778 and in 1788.

BUCHANAN, A. W. PATRICK. *The bench and bar of Lower Canada down to 1850*. Montreal: Burton's Limited. 1925. Pp. 219.

Reviewed on page 71.

CARON, Rev. IVANHOË. *Le "Chemin des Caps"* (Bulletin des recherches historiques, janvier, 1926, pp. 23-41).

The history of an old road on the north shore of the St. Lawrence.

GOSSELIN, Mgr DAVID. *Page d'histoire contemporaine: Montmagny il y a un demi-siècle* (Trans. Roy. Soc. Can., 1925, section I, pp. 117-125).

An account of the French-Canadian town of Montmagny, as it was fifty years ago.

DEMAIZIÈRE, E. *Un Bourguignon, gouverneur de Montréal: Jean Bouillet de la Chassagne* (Nova Francia, 24 Décembre, 1925, pp. 132-4).

A sketch of an officer who was governor of Montreal from 1730 to 1733.

MARQUIS, L. J. D. *Monographie des Iles de la Madeleine* (Bulletin de la Société de Géographie de Québec, octobre-novembre, 1925, pp. 205-227).

An account of the history of the Magdalen Islands, in the Gulf of St. Lawrence.

MASSICOTTE, E. Z. *Une chambre de commerce à Montréal sous le régime français* (Bulletin des recherches historiques, février, 1926, pp. 121-4).

An account of a "Board of Trade" at Montreal during the French régime.

————— *Les huissiers de Montréal sous le régime français* (Bulletin des recherches historiques, février, 1926, pp. 79-92).

Biographical notes on the bailiffs of Montreal during the French régime.

(3) The Province of Ontario

COYNE, JAMES H. *The identification of the site near Port Dover of the wintering-place of Dollier de Casson and Bréhaut de Galinée, 1669-1670* (Trans. Roy. Soc. Can., 1925, section ii, pp. 67-75).

An account of how the place where Dollier de Casson and Galinée wintered in 1669-70, near Port Dover, on Lake Erie, was identified.

HAYDON, Hon. ANDREW. *Pioneer sketches in the district of Bathurst*. Vol. I. Toronto: The Ryerson Press. 1925. Pp. ii, 291.

Reviewed on page 74.

LANDON, FRED. *In an old Ontario cemetery* (Dalhousie Review, January, 1926, pp. 523-531).

An account of a cemetery in Kent county, Ontario, where a number of negro refugees, or fugitive slaves, are buried.

MAVOR, JAMES. *Niagara in politics: A critical account of the Ontario Hydro-Electric Commission*. New York: E. P. Dutton and Co. [1925.] Pp. vi, 215.

To be reviewed later.

PARRY, His Honour Judge. *Legal aid: A message from Ontario* (Fortnightly Review, November, 1925, pp. 626-633).

A paper describing the operation of the Workmen's Compensation Act in Ontario.

(4) The Western Provinces

BISHOP, Captain R. P. *Mackenzie's Rock*. (Historic Sites Series, no. 6.) Ottawa: Department of the Interior. 1925. Pp. 31; illustrations and map.

A pamphlet describing the course taken by Sir Alexander Mackenzie from Bella Coola to the rock on which he painted the legend, "From Canada by land."

CONSTANTIN-WEYER, M. *La bourrasque*. Paris: F. Rieder et Cie. 1925. Pp. 249.

An account of the two North West rebellions. To be reviewed later.

————— *Manitoba*. Paris: F. Rieder et Cie. 1924. Pp. 135.
(5.50 fr.)

A series of essays or sketches by a French visitor in Manitoba.

OLIVER, EDMUND H. *The beginning of white settlement in northern Saskatchewan* (Trans. Roy. Soc. Can., 1925, section ii, pp. 83-129).

"A study of the growth of settlement in the provisional district of Saskatchewan, 1870-1891."

PRICE, JULIUS M. *The romance of the red riders* (Empire Review, December, 1925, pp. 483-492).

A sketch of the history of the Royal North West Mounted Police.

- PRUD'HOMME, Juge L. A. *Ambroise Didyme Lépine* (Trans. Roy. Soc. Can., 1925, section 1, pp. 53-63).

A discussion of the trial of Lépine, Riel's lieutenant in 1869-70, for complicity in the execution of Thomas Scott.

- RIFE, CLARENCE W. *Norman W. Kittson, a fur-trader at Pembina* (Minnesota History, September, 1925, pp. 225-252).

An admirable sketch of the life of a Canadian fur-trader who played an important part in breaking the monopoly of the Hudson's Bay Company at Red River, and who later became an associate of Donald Smith (Lord Strathcona) and J. J. Hill.

- TOTHILL, LOUIS A. *Robert Dickson, the fur trade, and the Minnesota boundary* (Minnesota History, December, 1925, pp. 330-342).

An account, based on original research, of the part played by a Canadian fur-trader in the attempt to preserve Minnesota as British territory.

- TROTTER, BEECHAM. *A horseman and the West*. Toronto: The Macmillan Co. of Canada. 1925. Pp. 304; illustrations.

The autobiography of a western pioneer.

- WALLACE, J. N. *Southesk's journey through the West* (Geographical Journal, 1925, pp. 246-253).

An attempt to identify the route taken by the Earl of Southesk in his journey of 1859.

- WILLIAMS, A. BRYAN. *Game trails in British Columbia: Big game and other sport in the wilds of British Columbia*. New York: Charles Scribner's Sons. 1925. Pp. xiv, 360; illustrations. (\$5.00.)

A detailed account of the opportunities for hunting big game in British Columbia, by an author who was for thirteen years head of the Game Department of the British Columbia government.

IV. GEOGRAPHY, ECONOMICS, AND STATISTICS

- FREEMAN, LEWIS R. *On the roof of the Rockies: The great Columbia icefield of the Canadian Rockies*. Toronto: McClelland and Stewart. [1925.] Pp. xiii, 270; illustrations. (\$5.00.)

Reviewed on page 80.

- HAMILTON, L. *Relations commerciales entre le Canada et l'Allemagne* (Bulletin de la Société de Géographie de Québec, octobre-novembre, 1925, pp. 196-204).

An historical sketch of trade relations between Canada and Germany.

- KANE, PAUL. *Wanderings of an artist among the Indians of North America, from Canada to Vancouver's Island and Oregon through the Hudson's Bay Company's territory, and back again*. Introduction and notes by LAWRENCE J. BURPEE. (*Master-works of Canadian Authors*, Vol. VII, edited by JOHN W. GARVIN.) Toronto: The Radisson Society of Canada. 1925. Pp. 1, 329. (Sold by subscription.)

Reviewed on page 73.

- KING, W. L. MACKENZIE. *La question sociale et le Canada: Industrie et humanité*. Traduction de ALTIAR. Préface de GABRIEL HANOTAUX. Paris: Librairie Félix Alcan. 1925. Pp. iv, 250. (10 fr.)

A French translation of *Industry and humanity*, by the present prime minister of Canada.

MACKINTOSH, W. A. *The Canadian wheat pools* (Queen's Quarterly, October, November, December, 1925, pp. 115).

A study of "the most distinctive institution apart from our constitution that Canada has yet produced."

MARTIN, HUGH. *Canadian impressions* (Dalhousie Review, January, 1926, pp. 423-434).

An account of an eight-weeks visit to Canada, by an English journalist.

QUINN, VERNON. *Beautiful Canada*. New York: Frederick A. Stokes Co. 1925. Pp. xvii, 382; illustrations. (\$4.00.)

A travel book, copiously illustrated.

ROY, P. G. *Une goelette française à Québec en 1772* (Bulletin des recherches historiques, novembre, 1925, pp. 449-452).

The story of a French trading schooner which came into the port of Quebec in 1772.

STEEL, Major W. ARTHUR, M.C. *Down the Mackenzie to the Arctic with the governor-general* (Canadian Defence Quarterly, January, 1926).

An account of a trip made down the Mackenzie River in 1924 by the vice-regal party.

The story of the Canada Permanent Mortgage Corporation, 1855-1925. Toronto, Canada: Head Office. 1925. Pp. 127; illustrations.

A review of the seventy years' history of a Canadian financial corporation.

THORINGTON, J. MONROE. *A note on the original journals of David Douglas* (Alpine Journal, November, 1925, pp. 327-334).

An examination of the journals of David Douglas, the botanist, from the standpoint of mountaineering in the Canadian Rockies.

The glittering mountains of Canada: A record of exploration and pioneer ascents in the Canadian Rockies, 1914-1924. Philadelphia, Pa.: John W. Lea. 1925. Pp. xxii, 310; illustrations and maps. (\$4.50.)

Reviewed on page 79.

V. EDUCATIONAL AND RELIGIOUS HISTORY

BAILEY, JOSEPH WHITMAN. *Loring Woart Bailey: The story of a man of science*. St. John, N.B.: J. & A. McMillan, Ltd. 1925. Pp. 141; illustrations.

The biography of a geologist who was for forty-seven years a professor of natural science in the University of New Brunswick.

BELLERIVE, GEORGES. *Artistes-peintres canadiens français: Les anciens*. Québec: Librairie Garneau. 1925. Pp. 80.

Biographical sketches of Joseph Légaré, Antoine Plamondon, Théophile Hamel, and A. S. Falardeau, French-Canadian painters.

CAMERON, E. R. *Alpheus Todd* (Canadian Bar Review, October, 1925, pp. 440-447).

A biographical sketch of the author of *Parliamentary government in the British Colonies*.

CARON, IVANHOË. *La semaine d'histoire du Canada, 23-27 Novembre, 1925* (Canada Français, janvier, 1926).

An account of the "Canadian history week" held recently at the Sulpician Library in Montreal.

CHAPAIS, THOMAS. *Monsieur Alfred De Celles* (Canada Français, novembre, 1925, pp. 153-158).

An obituary notice of a French-Canadian historian who died on October 5, 1925.

LOUDON, W. J. *Studies of student life*. Vol. II. *An examination in logic*. [Toronto: The Macmillan Co. of Canada. 1925.] Pp. 169. (\$1.25.)

The second volume of a series of sketches illustrating the history of the University of Toronto fifty years ago.

MACTAVISH, NEWTON. *The fine arts in Canada*. Toronto: The Macmillan Co. of Canada. 1925. Pp. xiii, 181; illustrations. (\$7.50.)

Reviewed on page 77.

MURRAY, WALTER C. *State support and control of universities in Canada* (Trans. Roy. Soc. Can., 1925, section II, pp. 19-32).

A chapter in the history of higher education in Canada.

NOLIN, Dr. JOSEPH. *The French-Canadian view-point on public education* (Revue Trimestrielle Canadienne, décembre, 1925, pp. 409-418).

An essay on the history of public education in French Canada.

